

Court No. - 39

Case :- WRIT - A No. - 4881 of 2019

Petitioner :- Union Of India And 4 Others

Respondent :- Ahibaran Singh And Another

Counsel for Petitioner :- Purnendu Kumar Singh, Sri Shashi Prakash Singh (A.S.G.I)

Counsel for Respondent :- Rakesh Verma, Sunil, Upendra Kumar

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

Ref.: Civil Misc. Delay Condonation Application

1. Heard Mr. Upendra Kumar, learned counsel for the respondents-applicant and Mr. Purnendu Kumar Singh, learned counsel for the petitioner-Union of India.
2. Cause shown for the delay in filing of the Substitution Application is to the satisfaction of the Court.
3. The delay is condoned.
4. This application stands allowed.
5. Civil Misc. Substitution Application be treated to be within time.

Ref.: Civil Misc. Substitution Application

1. Heard Mr. Upendra Kumar, learned counsel for the respondents-applicant and Mr. Purnendu Kumar Singh, learned counsel for the petitioner-Union of India.
2. This is an application for substituting the legal heirs of Ahibaran Singh i.e. respondent no.1, namely, Smt. Kalindri Devi, Raj Kumar, Rajesh Kumar and Manju Devi, as respondent no.1/1, respondent no.1/2, respondent no.1/3 and respondent no.1/4 respectively.
3. Since no objection has been raised by the learned counsel for the respondents, this application is deemed to be allowed.
4. Necessary substitutions are also deemed to have been carried out.

Ref.:-Memo of Petition

1. Heard Mr. Purnendu Kumar Singh, learned counsel for the petitioner-Union of India and Mr. Upendra Kumar, learned counsel for the respondents.

2. The present writ petition has been filed for the relief as below:

"(I) Issue a writ, order or direction in the nature of certiorari quashing the judgment and order dated 28.08.2018 passed by respondent No. 2 in Original Application No 330/000182/2011.

m;n (II) Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case.

(III) Award the cost of the writ petition to the petitioners."

3. Besides the submissions raised and noted in the leading case, it has been further submitted, no regularization may have arisen contrary to relevant Rules applicable on postal employees. They cannot be pre-existing.

4. By a detailed order passed today, Writ-A No. 10505 of 2023 (Union of India & 2 Others vs. Heeral Lal & Another) has been dismissed. For the reasons contained in that order, the present petition must be in the same fate. Accordingly, the present writ petition is **dismissed**.

(Shiv Shanker Prasad, J.)

(Saumitra Dayal Singh, J.)

Order Date :- 1.12.2023

Sushil/-