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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 1253/2007

GOVT. OF NCT OF DELHI

..... Appellant

Through Mr. Gautam Narayan, ASC, Mr. R.A. Iyer, Mr. Shruthi Parasa & Mr. Shatrajit Banerji, Advocates.

versus

DEEP CHAND & ORS.

..... Respondents

Through Mr. M.K. Bhardwaj & Ms. Shriambhra Kashyap, Advocates.

LPA 1254/2007

GOVT. OF NCT OF DELHI

..... Appellant

Through Mr. Gautam Narayan, ASC, Mr. R.A. Iyer, Mr. Shruthi Parasa & Mr. Shatrajit Banerji, Advocates.

versus

ANIL KUMAR & ORS.

..... Respondents

Through Mr. M.K. Bhardwaj & Ms. Shriambhra Kashyap, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

23.09.2016

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CM Nos. 29084/2016, 29085/2016 & 29086/2016 in LPA No. 1253/2007

CM Nos. 29078/2016, 29079/2016 & 29080/2016 in LPA No. 1254/2007

Learned counsel for the respondents, on instructions, states that he

would not oppose the present applications for condonation of delay and for restoration as he would like the appeals to be decided expeditiously on merits. As far as LPA No. 1253/2007 is concerned, the respondents would not like to press and rely upon the judgment of the single Judge as they were promoted as Junior Engineer in June, 1996 and consequently granted the pay scale of Rs.5000-8000. In view of the statement made by the counsel for the respondents, applications for condonation of delay and restoration are allowed and the appeals are restored to their original position.

LPA No. 1253/2007

Learned counsel for the respondents has stated that the respondents would not rely upon the impugned judgment passed by the single Judge to claim any relief as the respondents were promoted as Junior Engineers in the pay scale of Rs.5000-8000 in June, 1996. In other words, the respondents state that they would forego their claim for the higher pay scale of Rs.5000-8000 from January, 1996 till June, 1996. The statement made by the counsel for the respondents is taken on record.

In view of the statement made by the learned counsel for the respondents, counsel for the appellant states that he would not press the present appeal. Accordingly, the appeal is disposed of. We clarify that this Court has not expressed any opinion on merits and in case a similar issue arises, it will be open to the appellant to challenge and question the

submissions made by the writ petitioner/employee on merits.

LPA No. 1254/2007

List on 11th November, 2016.

SANJIV KHANNA, J.

SUNITA GUPTA, J.

**SEPTEMBER 23, 2016
VKR**