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

+ W.P.(C) 3348/2016 & C.M.14298/2016

MODH. YUSUF

..... Petitioner

Through: Mr. Prashant Sivarajan, Advocate

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Kamal Kant Jha, Senior Panel
Counsel for respondent-UOI

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **25.04.2016**

1. Learned counsel for the petitioner states that present case is identical on facts to the case pleaded in W.P.(C). 1316/2016, entitled Uttam Singh v. Union of India and Ors., which was disposed of vide order dated 1st March, 2016. A copy of the order dated 1st March, 2016 has been handed over with a copy to learned counsel for the respondents and is taken on record.

2. Learned counsel for the respondents states that the department has received the petitioner's legal notice dated 11th February, 2016 (Annexure P-2) and is treating it as a representation and is proceeding to dispose of the same by passing a speaking order under written intimation to him.

3. In view of the aforesaid submission, the present petition is disposed of with directions to the respondents to consider the petitioner's grievance

and convey the decision taken to him within a period of eight weeks from today, keeping in mind the observations made in the order dated 1st March, 2016, in the case of Uttam Singh (supra).

4. If the petitioner is found eligible for promotion and resultantly for grant of the benefits under the 2nd ACP, the same shall be extended to him within the same timeline and the petitioner shall be paid the arrears within a period of eight weeks from the date of the decision. In case the arrears are not paid to the petitioner within the stipulated timeline, then the same shall be paid by the respondents along with simple interest @ 8% per annum.

5. The present petition is disposed of along with pending application.

HIMA KOHLI, J

SUNIL GAUR, J

APRIL 25, 2016

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