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

+ W.P.(C) 4349/2015 & C.M. 7871/2015

SAJJAN KUMAR SINGH Petitioner
Through: Mr. Prashant Sivarajan, Advocate

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Ajay Digpal, CGSC &
Mr. Ashutosh Jha, Advocate with
Mr. S.S. Sejwal, Law Officer

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
22.03.2016

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1. This order is being passed in continuation of order dated 3rd March, 2016, when counsel for the respondents had sought an adjournment to obtain instructions from the department as to whether the impugned order dated 1st April, 2015 (*Annexure P-1*), has been passed by the Estate Officer under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (*in short 'PP Act'*) or by the competent authority in terms of the order dated 12th November, 2014, passed by the Division Bench in the previous writ petition [W.P.(C) 7707/2014] filed by the petitioner.

2. Learned counsel for the respondents states on instructions that the order dated 1st April, 2015 (*Annexure P-1*) has been issued by the Estate

Officer, Director General, CRPF, New Delhi, rejecting the petitioner's representation against the eviction order passed in respect of the government quarter occupied by him and damages have been imposed on him. However, on a perusal of the order dated 1st April, 2015 (*Annexure P-1*), it appears that the same has not been passed by the competent authority, as was directed by the High Court vide order dated 12th November, 2014. Instead, the same has been passed by the Estate Office when admittedly, no proceedings under the PP Act have been initiated against the petitioner so far.

3. Learned counsel for the respondents states that to put to rest the said controversy, the respondents be permitted to withdraw the order dated 1st April, 2015 (*Annexure P-1*) and pass a fresh order in compliance with the order dated 12th November, 2014.

4. Learned counsel for the petitioner states that he may be permitted to file a comprehensive representation before the respondents within one week, which be directed to be decided by the competent authority in a time bound manner.

5. The petitioner shall file a comprehensive representation before the respondents within one week, which shall be considered and decided by the respondents within two weeks by passing a speaking order, under written intimation to the petitioner. If the petitioner is aggrieved with the decision of the respondents, he shall be entitled to seek his remedies in accordance with the law.

6. Till the time the petitioner's representation is decided by the respondents, they shall not take any coercive steps against him in terms of

the Notice dated 19th January, 2015, titled 'Information' (Annexure P-2).

7. The petition and the application are disposed of.

8. A copy of this order be given *dasti* to counsel for the respondents for compliance.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 22, 2016

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