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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4737/2015**

RAJNI SAXENA

..... Petitioner

Through: Mr. S. Premchandra, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC
with Mr. T.P. Singh, Adv. for R-1 to
3 & 5/IOI
Mr. V.S.R. Krishna, Adv. for R-6/
DMRC

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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14.03.2016

CM APPL. NO. 8950/2016

This application seeks early hearing of the writ petition which is posted for 04.10.2016, inter alia, on the ground that the applicant has moved another application bearing CM Appl. No. 8951/2016, in terms whereof, counsel for the petitioner has requested the Court to give directions to respondent No. 3 to dispose off the representation dated 04.07.2012 on merits by a speaking order and that the petition itself be disposed off on those terms whilst reserving all rights of the petitioner.

Issue notice.

Counsel for the respondents enter appearance and accept notice and state that they have no objection to the application being allowed.

Consequently, the petition is pre-poned and is taken up today itself.

The next date of 04.10.2016 is cancelled.

The application stands disposed off.

W.P.(C) 4737/2015 & CM APPL. NO. 8951/2016

This application has been moved by the petitioner praying for directions to respondent No. 3 to dispose off the representation dated 04.07.2012 by a speaking order within a time bound manner.

Counsel for the petitioner states, on instructions from the petitioner, who is also present in Court, that for the time being, the petitioner would be satisfied if the said representation is duly considered and disposed off by the third respondent on merits, and that the instant writ petition may also be considered as an additional representation towards the same relief whilst reserving all rights of the petitioner to take all steps that may be available to the petitioner in law in case she remains dissatisfied with the outcome, of course, without prejudice to any facts and grounds that may have been raised in the instant writ petition since they are not being pressed on merits at this stage at least.

Issue notice.

Counsel for respondent No. 3 and respondent No. 6 accept notice and states that there are no objections to the said approach, whilst also stating that nothing in this order should be construed as a concession by the respondents with regard to any facts or position of law contrary to the interest of their respective clients.

Under the circumstances, and as prayed, respondent No. 3 is directed to dispose off the representation dated 04.07.2012 by a speaking order after giving adequate opportunity to the petitioner for being heard within eight weeks from today. Whilst considering the representation, the third respondent shall also accord due consideration to the instant writ petition which shall also be treated as an additional representation of the petitioner towards the same relief.

The writ petition and all pending applications are disposed off accordingly.

It is made clear that no opinion is being expressed on the merits of the matter one way or the other.

It would be open to the petitioner to take all appropriate steps as she may be advised and as available to her in law including the initiation of fresh writ petition, without prejudice to any of the factual and legal grounds raised in the instant writ petition.

SUDERSHAN KUMAR MISRA, J.

MARCH 14, 2016

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