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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1961/2017**
VIBHAN SINGH Petitioner
Through Mr.Sandeep Kumar Dwivedi, Adv.

versus

UNION OF INDIA & ORS Respondents
Through Ms.Saroj Bidawat, Adv.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **09.10.2017**

Learned counsel for the respondent accepts that the petitioner should be promoted as per the ratio in WP(C) No.10756/2015, titled *Bhuwan Chandra vs. UOI & Ors* decided on 13th July, 2016. Our attention is also drawn to the order dated 1st August, 2017 passed by this Bench in WP(C) no.11890/2016 titled *Koli Kashinath Appasaheb vs. Union of India & Ors.* which makes reference to the decision in *Bhuvan Chandra (supra)* and in particular paragraphs 11 and 12 thereof.

In the present writ petition, notice was issued and accepted by the respondents on 3rd March, 2017. Thereafter, vide order dated 22nd May, 2017, another six weeks time was granted to file the counter affidavit. On failure to file counter affidavit within six weeks, the respondents were to pay cost of Rs.3,000/- for adjournments and delay. On 13th September, 2017, counsel for the respondents had stated that the respondents were likely to pass an order granting relief

to the petitioner.

Counsel for the respondents today states that appropriate orders have not been passed because the present writ petition is pending consideration. We cannot appreciate the said stand as the respondents have not been barred/prevented from passing appropriate orders granting relief to the petitioner.

In view of the aforesaid position and as accepted by the counsel for the respondents that the issue is covered by the decision in case of Bhuwan Chandra (supra), we are inclined to give same directions as given in the said case and in Koli Kashinath Appasaheb Nath (supra). The respondents are therefore directed to process the case and grant relief to the Petitioner, which was granted in the case of Bhuwan Chandra (supra), and Kali Kashinath Appasaheb Nath (supra) within 12 weeks. In case arrears are not paid within 12 weeks, interest @8% per annum reckoned from 12 weeks from today will be paid.

Writ petition is disposed of with the aforesaid directions. No costs.

SANJIV KHANNA, J

NAVIN CHAWLA, J

OCTOBER 09, 2017
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