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

+ W.P.(C) 6748/2010

AJIT SINGH

..... Petitioner

Through: Mr Vijay K. Jain and Mr Sanjay K.
Bhardwaj, Advocates.

versus

UOI AND ANR

..... Respondents

Through: Mr Kirtiman Singh, CGSC and Mr
Waize Ali Noor, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **24.07.2017**

1. The petitioner has filed the present petition, *inter alia*, praying for mandamus directing respondent no.2 to restore the seniority of the petitioner with all consequential benefits with respect to empanelment for the business of transportation of coal. Respondent no.2 has filed an affidavit which indicates that no such benefit can be given to the petitioner since he was earlier empanelled for a Security Agency and had also been offered sponsorship on 11 occasions.
2. The learned counsel for the petitioner does not dispute that the petitioner had been empanelled for a security agency. He however states that the petitioner had not availed of any sponsorship, therefore, did not derive any benefit from being empanelled for security services.
3. The learned counsel for the petitioner has also drawn the attention of

this Court to a letter dated 12.12.2008 whereby the petitioner was advised to get his security agency de-empanelled from the Employment Directorate of DGR so that his registration for the Coal Loading & Transportation Scheme may continue to exist.

4. The above letter dated 12.12.2008, clearly indicates that the respondents were willing to maintain the petitioner's registration for a coal transportation company on his de-empanelment from the Employment Directorate of DGR. The petitioner states that he took all necessary steps for his de-empanelment and, therefore, should be entitled to maintain his registration as well as seniority for a coal transport company.

5. However, it appears that in the meanwhile, the petitioner has also crossed the age of 60 years and, therefore, as per the respondents' policy may not be entitled to any sponsorship for coal transportation business.

6. Whilst, it does appear that the petitioner may not be able to avail benefits under the current policy, however, keeping in view the peculiar circumstances (the petitioner had applied for coal transportation business and also registered for a security agency but has not availed the benefits of either) and also considering that the petitioner has expressed that he is in need of employment to sustain his livelihood, it is directed that the respondents may consider the petitioner's representation, preferably on a sympathetic basis and keeping in view the larger objective of resettling ex servicemen.

7. The present petition would be treated as a representation and the respondents shall communicate the decision to the petitioner as

expeditiously as possible.

8. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

JULY 24, 2017

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