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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5154/2017**
ROHIT SHARMA & ORS. Petitioners
Through **Mr. Harpreet Singh and Ms. Namrata**
Bharti, Advs.
versus

THE HIGH COURT OF DELHI & ORS. Respondent
Through **Mr. Viraj R. Datar, Adv. for R1.**
Mr. Ankur Chhibber, Adv. for R2.
Mr. Arun Kumar, Adv. for R3.
Mr. Sanjoy Ghose, ASC with Mr.
Rishabh Jetley, Adv. for GNCTD.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **03.07.2017**

On behalf of the respondent no. 1, it has been submitted that the representation filed by the petitioners before the respondent no. 1, has been sent to the respondent no. 2 vide communication dated 15.06.2017.

Learned counsel for the respondent no. 2 has informed that the matter is pending consideration before the learned District and Sessions Judge (HQ), Tis Hazari Courts, Delhi.

Vide the present petition, the petitioners no. 1 & 2 posted as Civil Nazir in the Delhi District Courts and petitioner no. 3 posted as Naib Nazir in the Delhi District Courts interalia seek that the non-grant of the revised pay of **4800** to the Civil Nazir and revised pay of **4600** to the Naib Nazirs w.e.f. 01.01.2006 on parity basis, be held to be illegal, arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India, 1950 and that the respondents be directed to grant to the post of Civil Nazir,

the grade pay of **4800** instead of **4600** with arrears in the pay scale of Rs.9300-34800 w.e.f. 01.01.2006 and to Naib Nazir the grade pay of 4600 instead of 4200 in the pay scale of Rs.9300-34800 w.e.f. 01.01.2006 with all its consequential benefits on parity basis.

During the course of initial submissions that have been made on behalf of the either side, it has been submitted on behalf of the petitioners in reply to the specific Court query that the representation dated 24.10.2016 had been made to the High Court Committee arrayed as respondent no. 1 to the present petition, which has not been determined. Qua the submissions, it has been submitted on behalf of the respondents no. 1 & 2 that qua the representation filed by the petitioners has vide administrative proceedings as per letter No. 12737/E.3/Estt.II/DHC dated 15.06.2017, an administrative direction has been sent to the District and Sessions Judge (HQ), Tis Hazari Courts, Delhi has been arrayed as respondent no. 2 to take appropriate action as deemed fit in terms of the rules, the respondent no. 2 being the competent authority of the petitioners no. 1, 2 & 3. It has been submitted on behalf of the respondents no.1, 2 & 3 that in view of the administrative proceedings as informed vide letter dated 15.06.2017 on behalf of the respondent no. 1 to the respondent no.2, the present petition is wholly pre-mature.

Learned counsel for the petitioner submits that the representation has been long pending since 24.10.2016 and that the present petition be kept pending and be taken up for consideration on disposal of the representation dated 24.10.2016 by the respondent.

On a consideration of the submissions that have been made, it is apparent that the present petition is pre-mature in view of the administrative proceedings pending before the District and Sessions Judge (HQ), Tis

Hazari Courts, Delhi, arrayed as respondent no. 2.

Taking into account however, the factum that the representation of the petitioners is pending since 24.10.2016, the respondent no. 2 is directed to dispose of the representation dated 24.10.2016 as sent to the respondent no. 2 vide communication of the respondent no. 1 dated 15.06.2017 within a period of four months from today.

With these observations, the present W.P.(C) 5154/2017 is disposed of. Liberty is further granted to the petitioners to seek redressal, if any, after administrative decision is taken by the respondent no. 2, if required.

ANU MALHOTRA, J

JULY 03, 2017/mk