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

+ W.P.(C)No.10156/2017 & CM Nos.41483-41484/2017

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Date of decision : 17th November, 2017

DUKHABANDHU ROUL AND ANR. Petitioners

Through : Mr. Sarim Naved and
Mr. Vaibhav Srivastava, Advs.

versus

UNION OF INDIA AND ORS. Respondents

Through : Mr. Vikas Mahajan, CGSC with
Mr. Shyam Sundar Rai, Adv.
for UOI/ R-1
Mr. Sanjoy Ghose, ASC with
Mr. Rishabh Jetley, Adv. for
GNCTD/R-2
Mr. Manvindra Verma, Adv.
with Mr. Puneet Garg, Law
Officer for DMRC/R-3

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. This writ petition has been filed by Sh. Dukhabandhu Roul who has stated in the writ petition that he is an employee of the respondent no.3 i.e. the Delhi Metro Rail Corporation (hereafter 'DMRC'). The

co-petitioner, Sh. Ravikant is admittedly a member of the housekeeping staff of the respondent no.3.

2. Alongwith the writ petition, the petitioners have enclosed investigations conducted by the DMRC into complaints/grievances made by the petitioners. Upon such investigation, the following has been recommended :

“i) It is proposed to initiate Disciplinary proceedings against all concerned (present &/or previous SM and SCs of NHSP Metro Station) after due scrutiny by the DA.

ii) For manipulating/overwriting/changes of pages in housekeeping format of NSHP Metro Station (from January, 2016 till August, 2016), it is proposed to penalize the agency for lapses done at their end. The penalization may be proportional to the increase in shifts by the nominated person.

iii) Dress code (with logo) of Team Leader, Manager and Supervisors of Housekeeping Agency should be similar as that of Housekeepers.

iv) The responsibility of renewal of station permit cards of housekeepers shall be of housekeeping agency and housekeeping staff should not be permitted entry without valid entry permit cards unless there are justified reasons.

v) Housekeeping formats of concerned Stations may also be cross-checked by line managers during their inspections.

vi) Though housekeeping contract management procedure is reviewed time to time however it may further be reviewed to improve services and to take preventive checks to curb the possibilities of corrupt practices.

vii) Shri Duhbandhu Roul may be suitably taken up for not following the hierarchy and escalating issues, without authentic proofs and without finishing

the department channel. Further it is also observed that as a shift in-charge he has failed to supervise the activities of station.”

3. We are informed by the learned counsels for the petitioners that it is because of his complaints that the petitioner no.1 is being penalized. This assertion may entitle the petitioner to maintain a challenge to the disciplinary action but certainly does not justify the institution of the present writ petition claimed to have been filed in public interest.
4. The writ petitioners in the instant case, in our view, are seeking redressal of private grievances by way of what has been couched as a public interest litigation. The same is completely impermissible in law.
5. This writ petition and applications are therefore dismissed.
6. It is made clear that we have not expressed any opinion on the merits of the rival contentions.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

NOVEMBER 17, 2017/kr