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

+ **W.P.(C) 3874/2018**

OM PRAKASH PASWAN Petitioner
Through: Mr. Ravindra Kumar, Advocate.

versus

UNION OF INDIA & ORS Respondents
Through: Mr. Rajesh Kumar, Advocate with
Mr. Kavindra Gill, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **20.04.2018**

1. The Petitioner, who was working on the post of SI/Executive in the CISF, is aggrieved by the order dated 07.10.2016, passed by the Disciplinary Authority whereunder, he was awarded the punishment of reduction in the pay scale by three stages and during the period of punishment, denied annual increment and at the end of the period of punishment, was held that it would impact his future pay rise. The petitioner has also challenged the order dated 13.06.2017 passed by the Appellate Authority upholding the order passed by the Disciplinary Authority.

2. At the outset, learned counsel for the respondents opposes the maintainability of the present petition on the ground that the petitioner has not exhausted the statutory remedy of filing a revision petition. He however clarifies that the prescribed period for filing the revision petition is six months, which has already expired.

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3. Learned counsel for the petitioner states that he may be permitted to withdraw the present petition with leave to file a revision petition before the competent authority within two weeks. He requests that the respondents be directed to decide the revision petition on merits.
4. If the petitioner files the revision petition within two weeks from today as submitted above, then the competent authority shall consider the said petition on merits instead of dismissing it on account of delay and *laches*.
5. The present petition is disposed of.

HIMA KOHLI, J

PRATIBHA RANI, J

APRIL 20, 2018

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