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

+ W.P.(C) 5199/2011 & CM APPLN. 10545/2011

S K NIGAM

..... Petitioner

Through: Mr. Santosh Tripathi, ASC for
GNCTD with Mr. Rishabh Ostwal
and Mr. Shashank, Advocates.

versus

ALOK MEHROTRA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% **05.12.2018**

Vide the present petition, the petitioner seeks direction thereby setting aside decision dated 06.12.2001, whereby the CIC has imposed penalty on the petitioner for sum of Rs. 25,000/-.

Order sheet reveals that none has been appearing on behalf of the respondent. Counsel for the respondent lastly appeared on 08.12.2015. Thereafter, from the last five consecutive dates, none has appeared on behalf of the respondent.

By virtue of the impugned order dated 06.12.2010 passed by the CIC penalty for a sum of Rs. 25,000/- has been jointly levied on the petitioner, S. K. Nigam PIO and Assistant Labour Commission (Administration) and Mr. A. K. Passi welfare Officer and are deemed PIO.

It is submitted by the Learned counsel for the petitioner that at the

relevant point of time the petitioner i.e. S. K. Nigam was not the CPIO.

The relevant record reveals that the petitioner i.e. S. K. Nigam was not the CPIO at the relevant point of time and show cause notice was not issued to the petitioner, before levying penalty. Record further reveals that at the relevant time, Mr. S. S. Yadav was the CPIO, who is not a party in the present petition.

Accordingly, I find no basis in the order dated 06.12.2010 imposing penalty of Rs. 25,000/- on the petitioner, PIO, Assistant Labour Commission (Administration) and Mr. A. K. Passi welfare officer and deemed PIO.

The order is accordingly setting aside, the petition is allowed.

SURESH KUMAR KAIT, J

DECEMBER 05, 2018

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