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

+ **W.P.(C) 7799/2018**

ARUN DUDI

..... Petitioner

Through **Mr. Sudhir Naagar, Ms. Bhanu
Sanoria and Mr. Mohit Singh, Advs.**

Versus

THE ORIENTAL INSURANCE CO LTD & ANR Respondents

Through **Mr.K.K.Rai, Sr. Adv. with Mr. Rahul
Ranjan Verma and Mr. Anshul Rai,
Adv.**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% 15.11.2018

Vide the present petition the petitioner seeks relief as
under:

"1. Issue a writ of mandamus or any other appropriate writ, order or direction thereby quashing and setting aside the Order dated 11.09.2015 (Annexure P/1) and directing respondents to permit the petitioner to resume services and reinstate him with all consequential benefits.

2. Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the respondents to release the arrears of pay in terms of Circular dated 01.02.2016 tot eh petitioner alongwith interest for the delayed period.

3. Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the respondents to revise the subsistence allowance payable to the petitioner to 75% of his pay with effect from 11.03.2016 till the last day of period of suspension and to pay the same alongwith arrears and interest for the delayed period.

4. Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the respondents to expedite the enquiry proceedings pending against petitioner.”

Learned counsel appearing on behalf of the respondents submits that the Enquiry Officer has submitted his report on 26.03.2018 and thereafter, the said report has been sent to the petitioner for comments on 30.07.2018. Thereafter, on 17.08.2018 the respondents received reply of the Enquiry Report from the petitioner. He submits that the authority may take decision in due course.

The petitioner was put under suspension vide order dated 11.09.2015. Thereafter, the charge sheet was issued on 13.12.2016. Thus, more than three years passed, the petitioner is suffering suspension and enquiry proceedings.

Therefore, I hereby dispose of the petition directing the respondents to take final decision on the enquiry report dated 26.03.2018 within four weeks from the receipt of this order, failing which the respondent shall pay cost of Rs. 50,000/-.

Out of the said cost Rs. 25,000/- to be paid in favour of the petitioner and remaining 25,000/- to be deposited with Delhi High Court Legal Services Committee.

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I hereby made it clear that on the subsistence allowance and other allowances, the respondents shall take decision along with the decision on the Enquiry Report.

Petition is disposed of accordingly.

Order *dasti* under signatures of Court Master.



SURESH KUMAR KAIT, J

NOVEMBER 15, 2018

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