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

+ **W.P.(C) 11101/2018**

ANITA GARG

..... Petitioner

Through: Mr Rishabh Garg, Mr Vishesh
Wadhwa and Ms Sumedha Gupta,
Advocates.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms Vibha Mahajan, Seth with Mr
Sanjay Kumar, Advocates for DMRC.
Mrs Suparna Srivastava, CGSC with
Ms Nehul Sharma and Mr Tushar
Mathur, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **04.12.2018**

CM No. 43162/2018

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, praying that respondent nos.1 to 3 be directed to appoint the Claims Commissioner under Section 48 of the Metro Rail (Operation and Maintenance) Act, 2002 as well as to direct respondent no.2 to expedite the petitioner's claim in a time bound manner.

3. An affidavit has been filed on behalf of the Union of India (Ministry

of Housing and Urban Affairs) indicating that DMRC had, by its letter dated 18.05.2018, forwarded the proposal for appointment of Shri Trivikram Nath Tiwari, retired Additional Secretary, Department of Legal Affairs as Claims Commissioner for DMRC on re-employment basis for a period of one year. It is stated that the respondent has initiated a procedure for appointment of Shri Trivikram Nath Tiwari as Claims Commissioner in DMRC and a notification would be issued as soon as the matter is finalised. However, the affidavit is silent as to the time required for this process.

4. It is seen that a considerable time had already elapsed since, the DMRC had made its proposal. Considering that Shri Trivikram Nath Tiwari was to be appointed for a year, it would not be apposite for Union of India to defer the appointment any further. Accordingly, Union of India (Ministry of Housing and Urban Affairs) is directed to complete the process as expeditiously as possible and in any event within a period of three weeks from today.

5. No further orders are required to be passed in this petition, the same is disposed of.

6. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

DECEMBER 04, 2018
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