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

% *Date of Order: March 12, 2018*

+ **W.P.(C) 8130/2017**

MOHAN LAL Petitioner
Through: Mr.Amarish Chandra Tiwari and
Mr.Mahendra Kumar Mishra, Advocates
versus

THE PRINCIPAL RESIDENT COMMISSIONER,
J&K HOUSE & ORS Respondents
Through: Mr.Ayushman Kotwal, Advocate

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioner claims to be working as Table Boy with the first respondent since the year 1981 and seeks two and a half days' salary plus monthly wages as he claims to be performing duties on holidays as well as on the working days beyond the office hours. To claim the relief as sought in this petition, reliance is placed upon a Communication of 27th January, 2012 (*Annexure P-3*) of second respondent which sanctions grant of two and half days' pay and DA in favour of employees of first respondent. Petitioner's counsel submits that Employees' Welfare Association had raised a demand for the relief as sought in this petition vide Memorandum (*Annexure P-1*) but to no avail.

2. In the facts and circumstances of this case, it is deemed appropriate to

dispose of this petition with permission to petitioner to file a proper and concise Representation to first respondent within a period of two weeks and if such a Representation is received by the first respondent, then it be dealt with in light of the Cabinet decision as contained in Communication (*Annexure P-3*) within a period of six weeks and the fate of the Representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedy as available in law, if need be. It is made clear that if petitioner's Representation is not accepted, then the reasons for non-acceptance be indicated to petitioner.

3. With aforesaid directions, this petition is disposed of.
4. Copy of this order be given *dasti* to counsel for both sides.

(SUNIL GAUR)
JUDGE

MARCH 12, 2018
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