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

+ **Date of Decision: 2.07.2019**

% **W.P.(C) 6988/2019**

LALIT KUMAR RAWAL

..... Petitioner

Through: Mr. Daleep Dhyani, Advocate with
petitioner in person.

versus

THE REGISTRAR GENERAL HIGH COURT OF DELHI AND
ANR.

..... Respondents

Through: Mr. Nitish Chaudhary, Advocate for
Mr. Viraj R. Datar, Advocate for R-
1/DHC.

Mr. Amit Mahajan, CGSC with Mr.
Dhruv Pande, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

VIPIN SANGHI, J. (ORAL)

1. The petitioner has preferred the present writ petition to seek the quashing of the DO letter dated 26.4.2019 issued to the petitioner by the respondents. The said letter reads as follows:-

“Dear Mr. Rawal,

With reference to your representation dated 04.12.2018, I am desired to inform you that the same has been recommended to be rejected.

I am further desired to advise you that wherever you are posted, you must work in co-ordination with your superiors as well as with your junior officers/officials in the best interest of the Institution rather than playing your own buggle.”

2. The background in which the aforesaid letter was issued was that the petitioner had made a complaint against another officer working in the establishment of the Delhi High Court, namely, Ms. Mithlesh Kumari. The said complaint related to the alleged subletting of the government accommodation allotted to Ms. Mithlesh Kumari, which she had surrendered in August 2010. The complaint itself was made only on 4.12.2018.

3. The said complaint was put to Ms. Mithlesh Kumari. It appears that she denied the allegations. The matter was examined by the committee of three senior officers of this Court namely Registrar (Genl. Admn.), Registrar (B & A, Cash) and Registrar (Appellate) who, in their report dated 26.2.2019, did not find any merit in the complaint made by the petitioner against Ms. Mithlesh Kumari. It was observed in the said report that the complaint was vague and without any particulars, and was also highly belated considering that the same related to the year 2010. The said committee of the officers observed that the complaint was apparently made on account of differences between the petitioner and Ms. Mithlesh Kumari. The committee, inter alia, observed as follows in the said report:-

“We are also informed that the complainant regularly makes RTI queries and also makes favourable personal assertions to the exclusion of all other colleagues, based on which, we are told, that he has also written letters to the office of the Prime Minister. Such conduct is not a healthy conduct. The complainant officer must be apprised that wherever he is posted, he must work in coordination with his superiors as well as his junior officers/officials in the best interest of the institution rather than playing his own buggle.”

4. The matter was eventually placed before Hon’ble the Chief Justice who approved the report, which led to issuance of the communication dated 26.4.2019 to the petitioner.

5. Learned counsel for the petitioner started his submissions by submitting that he would be satisfied if the second paragraph of the communication dated 26.4.2019 were to be expunged. Learned counsel for the respondents-who appears on advance notice, submits that the said observation would not be treated as an adverse remark against the petitioner and that the same would have no bearing on the petitioner’s service record. He submits that the said remark was only made to advise the petitioner.

6. The petitioner, however, is not satisfied and he advanced submissions on his own. He referred to the replies received by him under the Right to Information Act to the queries made by him in relation to the allotment of accommodation to Ms. Mithlesh Kumari, and about its cancellation.

7. We have perused the said replies and we do not find anything emerging therefrom to support the petitioner’s contention in relation to

misuse or subletting of the government accommodation by Ms. Mithlesh Kumari. In any event, the said aspect raised by the petitioner is highly belated ie after nearly 9 years of, even the surrender of the government accommodation by Ms. Mithlesh Kumari. Merely because the deciding authority had apparently cancelled the accommodation on 2.8.2010, it does not follow that the cancellation was on account of subletting. In any event, the issue is highly stale and the motives of the petitioner do not appear to be bonafide qua Ms. Mithlesh Kumari.

8. We are, therefore, not inclined to interfere with the impugned order.

9. Dismissed.

VIPIN SANGHI, J.

RAJNISH BHATNAGAR, J.

JULY 02, 2019

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