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

+ **W.P.(C) 9044/2018 & CM APPL. 34747/2018**

ASHOK KUMAR MITTAL Petitioner
Through: **Mr. Rajat Aneja, Advocate**

versus

THE DISTRICT AND SESSIONS JUDGE (HEADQUARTERS)

..... Respondent
Through: **Ms. Avnish Ahlawat, Mr. Nitesh Singh and Ms. Palak Rohmetra,**
Advocates for DSJ

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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30.04.2019

Vide the present petition, the petitioner seeks a direction thereby quashing the memorandum dated 12.07.2018 and the Articles of charges contained therein as issued by the respondent.

He further seeks a direction thereby directing the respondent to accord consideration for grant of benefit of 3rd Financial upgradation under the MACP Scheme, in the Pay Band of ₹. 15600-39100/- with Grade Pay of ₹. 6600/- (revised) w.e.f. 23.02.2012 as has been granted to his similarly situated colleagues along with all consequential benefits.

Learned counsel appearing on behalf of the petitioner submits that prayer 'A' of the petitioner has become infructuous as the Departmental inquiry has been completed and the disciplinary authority vide order dated 16.02.2019 exonerated the petitioner from the departmental proceedings.

Learned counsel further submits that vide representation dated

25.02.2019, the petitioner requested the respondent to grant benefits on account of exoneration, however, the said representation is still pending for decision.

Accordingly, I hereby dispose of the present petition directing the respondents to take decision on the representation dated 25.02.2019 made by the petitioner within four weeks from the receipt of this order.

If the petitioner is still aggrieved by the decision to be taken by the respondent, he is at liberty to challenge the same before the appropriate Forum.

SURESH KUMAR KAIT, J

APRIL 30, 2019

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