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

+ W.P.(C) 10362/2018

NAZIM UDDIN AHMED Petitioner

Through: Petitioner in person.

Versus

CHAIRMAN, RAILWAY BOARD AND ORS. Respondents

Through: Mr.J.K.Singh, Standing Counsel with
Mr.Varun Bhadola, Mr.Saurabh Sharma, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

23.08.2019

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1. This writ petition has been preferred with the following prayers:-

“b) Issue a Writ/order/direction in the nature of mandamus or any other writ directing respondent no.1 and 2 to take stern action against the respondent No.3, who was instrumental to harass the victim,

c) Direct the respondent No.1 – 3 to designation/Job role of the victim from safai karamchari to any other appropriate designation/job role.

d) To direct respondent No.1 to transfer the Respondent No.3 to any office,

e) Award cost of proceedings to the humble petitioner.”

2. Having heard the petitioner who appears in person and learned counsel for the respondents No.1 and 2, it appears that lot of grievances have been raised by the petitioner about the behaviour of respondents No.3 – Chief Health Inspector.

3. Learned counsel for respondents No.1 and 2 has submitted that no representation has been preferred by the aggrieved person to Senior Divisional Medical Officer and hence nothing has been done by the respondents.

4. In view of the averments made in the writ petition especially against respondent No.3, we see no reason to give any specific direction to respondent No.1 and 2 to initiate action against respondent No.3 without there being a preliminary inquiry or without there being any material against respondent No.3 and without giving any opportunity of being heard to respondent No.3 by respondents No.1 and 2.

5. Nonetheless, we hereby direct respondents No.1 and 2 or Chief Medical Superintendent/Senior Divisional Medical Officer to look into the grievance of the petitioner in accordance with law, rules, regulations and Government policies applicable to the facts of the present case. Respondents No.1 and 2 or Chief Medical Superintendent/Senior Divisional Medical Officer are at liberty to follow their own procedure for holding inquiry, may be preliminary inquiry or otherwise, as per their Rules and Regulations and if any action is required to be taken against any erring officer, the same will be taken or initiated in accordance with law.

6. With these observations, the writ petition is disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

AUGUST 23, 2019

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