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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 10404/2019

COL D R SEMWAL

..... Petitioner

Through Mr.Jaideep Singh, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Ms.Suparna Srivastava, CGSC with
Mr.Tushar Mathur, Adv. for R-1 to 3.
Mr.Saurav Aggarwal, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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21.09.2020

This hearing has been held by video conferencing.

CM No.23241/2020 and W.P.(C) 10404/2019

1. This petition has been filed by the petitioner praying for the following reliefs:

“i) To direct the respondents to provide renewal of the 5th year of the contract in light of the unblemished conduct of the petitioner;

ii) Quash result of the interview conducted by IGL selecting Col Dharamveer to run San Martin CNG Pump in place of the Petitioner before he is able to complete his term of 5 years as per policy applicable when he was enrolled for the scheme.”

2. The petition contended as under:

“4. It is humbly submitted that the Petitioner is aggrieved by the vindictive action of the Respondents,

whereby they have appointed someone else to take over the Petitioner's station and his contract has not been renewed for the fifth year, that is October, 2019-2020, despite the fact that the policy is for 5 years as stated by the Director General of Resettlement and Department of Ex-Servicemen Welfare.

*The copy of the Impugned Result of interview conducted on 09.04.2019 to 31.05.2019 has been marked and annexed herewith as **Annexure P1**.*

5. It is of utmost importance to mention here that the agreement between the petitioner and the respondent IGL is currently due for its 4th and final renewal for the period starting from 1st Aug 2019 to 30th Sept 2020, but the same is being denied to the Petitioner by the respondent on frivolous and completely preconceived notions just to render the petitioner helpless and vulnerable to the arbitrary demands of the respondents. This will seriously hamper the very purpose for which the Director General of Resettlement scheme for resettlement of Ex-serviceman was introduced."

3. This Court by its interim order dated 25.09.2019 restrained the respondent no.4 from handing over the possession of the petitioner's CNG Station to any other person, till the next date of hearing. The interim order has continued till date.

4. The learned counsel for the respondent no.4 has filed the application, being CM No.23241/2020, contending that as the period for which the renewal was prayed for by the petitioner would be expiring on 30.09.2020, without prejudice to the rights and contentions of either party, in any case the petition would become infructuous on that date and the interim order cannot continue.

5. The learned counsel for the petitioner, on the other hand, submits that

there are other grievances of the petitioner raised in the petition as well.

6. Keeping in view the limited nature of the prayers made in the petition and as the period of 30.09.2020 has approached with the interim order being in operation, the present petition is disposed of recording the statement of the learned counsel for the petitioner that the petitioner shall hand over the site of the CNG Station to the respondent no.4 on or before 30.10.2020. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner in the petition or by the respondent no. 4 in its counter affidavit/application.

NAVIN CHAWLA, J

SEPTEMBER 21, 2020/Arya