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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 187/2020 and CM APPL. 6202/2020**

SATYAPAL SINGH Petitioner

Through: Mr. C.M. Thapliyal, Mr. S.P. Paul,
Mr. Kiran Lata Pal and Ms. Kanchan,
Advocates (M: 9810193017).

versus

SANJAY KUMAR & ORS Respondents

Through: Mr. Jagjit Singh, Sr. Standing
Counsel for Railway with Mr. Vipin
Chaudhary, Advocate for R-2 and 4
(M: 971161241).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **17.02.2020**

1. A civil suit was filed by Respondent No.1/Plaintiff - Mr. Sanjay Kumar (*hereinafter, "Plaintiff"*) against the Petitioner/Defendant No.1 (*hereinafter, "Defendant No.1"*) i.e., his brother - Mr. Satyapal Singh, seeking an injunction against Respondent Nos. 2 to 4/Defendant Nos. 2 to 4 i.e., the Railways, from granting Defendant No. 1 any job on compassionate grounds.

2. Mr. Raghubir Singh, the father of the parties, passed away on 24th September, 2016. Thereafter, Defendant No 1. attempted to obtain employment in the Railways on compassionate grounds which proposal was pending before the Railways, as is reflected in the proposal letter dated 14th March, 2017 at page 29 of the paper book. Defendant No.1's brother i.e., the Plaintiff, approached the Trial Court seeking an injunction restraining Defendant No.1 and the Railway authorities from proceeding with Defendant No.1's appointment in the Railways on compassionate grounds.

An application under Order XXXIX Rules 1 and 2 CPC was also filed in the said suit, which was dismissed vide order dated 24th September, 2019.

3. The suit continues to remain pending. An application under Order VI Rule 17 CPC is now also stated to be pending before the Trial Court. Defendant No.1, whose appointment was being considered on compassionate grounds, seeks early hearing of the suit. Considering the nature of the matter, the Trial Court is directed to dispose of the suit expeditiously within a year. Copy of this order be sent to the Civil Judge-05, Tis Hazari Courts (Central), Delhi in Suit No.1336/2017 titled *Sanjay Kumar v. Satyapal Singh*. The application for interim injunction has already been dismissed. In view of the stand of the two brothers, the Trial Court may consider recording the statement of the parties' mother in this regard, if deemed appropriate, to adjudicate the issues arising in the suit.

4. The petition is disposed of in the above terms. All pending applications are also disposed of.

PRATHIBA M. SINGH, J.

FEBRUARY 17, 2020

MR