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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P. (C) 4547/2020
PRAKASH KRISHNA SHAMBHARKAR Petitioner

Through Ms. Saahila Lamba, Advocate.

versus

UNION OF INDIA & ORS. Respondents

Through Mr. Vijay Joshi, Advocate for R-1.
Mr. Digvijay Rai and Mr. Aman
Yadav, Advocates for R-2 to 4.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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27.07.2020

Hearing has been conducted through Video Conferencing.

C.M. No. 16427/2020 (Exemption from filing duly affirmed affidavits and Court Fee)

This Application has been filed seeking exemption from filing duly affirmed affidavits and requisite Court fee. The Application is disposed of with a direction to the Applicant to file the same within 72 hours from the date of resumption of regular functioning of the Court.

W.P. (C) 4547/2020

Petitioner herein seeks quashing of the Order dated 30.07.2019 passed by Respondent No. 4, along with arrears of salary and other consequential benefits.

It is pointed out by Learned Counsel for Petitioner that the Appeal was filed before Appellate Authority on 17.02.2020 with a request to

entertain the Appeal and condone the delay in filing the same, which was on account of ill-health of the Petitioner. Medical documents in support thereof have also been placed before the Authority.

Ms. Saahila Lamba, Learned Counsel for Petitioner, points out that the Petitioner has not been keeping good health and also suffered a Brain Stroke. On account of this, he could not file the Appeal in time. Medical documents substantiating the plea have been filed with the present petition.

Issue notice.

Mr. Vijay Joshi, Learned Counsel for Respondent No. 1, accepts Notice.

Mr. Digvijay Rai accepts Notice on behalf of Respondent Nos. 2 to 4 and submits that he does not have any instructions, at present, on the status of the pending Appeal.

Since the Appeal is pending before the Appellate Authority, the writ petition is premature. Appellate Authority before whom the Appeal is pending, is directed to dispose of the Appeal within a period of four weeks from today.

The Appellate Authority will consider the aspect of condonation of delay sympathetically, keeping in view the medical condition of the Petitioner.

Petition is disposed of in the above terms.

JYOTI SINGH, J

JULY 27, 2020/yo