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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **W.P.(C) 9973/2017**

SATYAPAL TYAGI

..... Petitioner

Through: Mr. Sanjay Sharawat, Advocate

versus

UNION OF INDIA AND ANR

..... Respondents

Through: Mr. Jasmeet Singh, CGSC for
R-1/UOI

Ms. Sonia A. Menon, Advocate for
R-2

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

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03.07.2020

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19.

CM APPL.14010/2020 (Exemption)

Exemption allowed, subject to all just exceptions.

The application is disposed of accordingly.

CM APPL.14009/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/respondent No.2 seeking exemption from filing duly attested affidavits in support of the accompanying applications and to pay the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/respondent No.2 is

allowed to file the duly signed and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court. Further, the applicant/respondent No.2 is allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court.

With the above directions, the present application is disposed of.

CM APPL.14008/2020 (Directions)

By way of present application under Section 151 of the Code of Civil Procedure, 1908, instituted on behalf of the applicant/respondent No.2, it is prayed that, the time for taking a decision, in terms of the directions issued by this Court vide order dated 24.02.2020, which has already expired on 30.06.2020, be extended for a further period of three months.

Mr. Jasmeet Singh, learned Central Government Standing Counsel and Ms. Sonia A. Menon, learned counsel appearing on behalf of the respondent Nos.1 and 2 respectively, state that, in view of the Covid-19 pandemic, the official respondents have been unable to comply with the aforesaid directions, issued by this Court by 30.06.2020, as directed therein.

Issue notice.

Mr. Sanjay Sharawat, learned counsel accepts notice on behalf of the non-applicant/petitioner and does not oppose the present application, inasmuch as, the interest of the petitioner would be secured, if an early compliance of the directions issued by this Court is made, strictly in terms thereof.

In view of the foregoing, the present application is allowed. The Ministry of Housing and Urban Development is directed to revisit the entire issue and consider the prayer of the non-applicant/petitioner for

revision of pay scale, in the light of the report dated 14.12.1992 of the Departmental Anomalies Committee and the judgment dated 01.07.2008 of the learned Single Judge in W.P.(C) No. 4138/1996, after taking into account the view of the National Institute of Urban Affairs (NIUA), which statedly and purportedly to be the stand of the petitioner earlier and render a decision thereupon, by way of a speaking order within a period of three months from today.

Needless to state that, as observed by this Court in the order dated 24.02.2020, if the petitioner is aggrieved by the decision taken, it will be open for him to seek appropriate remedies, in accordance with law.

With the above directions, the present application is disposed of.

It is however, made clear that, no further extension shall be granted, in this behalf.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

JULY 03, 2020

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