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

+ **W.P.(C) 1207/2022**

MANOJ KUMAR SINGH

..... Petitioner

Through **Mr. Vivek Sharma, Advocate.**

versus

UNION OF INDIA & ORS.

..... Respondents

Through **Mr. Shashank Bajpai, Senior Panel
Counsel for UOI with Mr. Supragya
Ram Mishra, Advocate.**

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Date of Decision: 20th January, 2022

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

J U D G M E N T

MANMOHAN, J (ORAL)

C.M.No.3539/2022

Exemption allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

W.P.(C) No.1207/2022 & C.M.No.3538/2022

1. The matter has been heard by way of video conferencing.
2. After some arguments, learned counsel for the Petitioner does not wish to press prayers (b) as well as (g) of the present writ petition. The remaining prayers in the writ petition are as under:-

(a) Allow this writ petition, and



- (c) issue writ, order or direction(s) in the nature of mandamus commanding respondent No.2 to issue Last Pay Certificate (LPC) of petitioner to respondent No.3 as the same is mandatory requirement of law and the spirit of judgment of this Hon'ble Court in WP(C) 1034/2017 (Annexure P-9); and
 - (d) further issue writ of certiorari quashing the recovery demand of Rs.4,64,541/- raised for the first time vide letter CF/178203L/MKS/07/IRLA dated 25.09.2017 of respondent No.2 (Annexure P-6) alleging excess payment being paid to the petitioner for a period during 01.01.2006 To 14.02.2017; and
 - (e) issue writ, order or direction(s) in the nature of mandamus commanding respondent No.2 to correct the CGHS account of petitioner as due to wrong deduction of CGHS subscription during deputation period @ INR 450/- per month amounting to INR 42583/- as on date (as the same is impermissible during deputation) petitioner will again be saddled with wrongful recovery on this count on his reversion to respondent No.2;
 - (f) issue writ, order or direction(s) in the nature of mandamus commanding respondent No.2 to credit GPF & PLI subscription of petitioner from Feb. 2017 @ INR 5000/- per month & INR 924/- per month, respectively and update the same till date and further, ensure the revocation of suspension of PLI Policy by the APS; and
 - (h) pass any such other and further orders as are deemed fit & proper, necessary & expedient in facts and circumstances of the case and in the interest of justice.
3. Keeping in view the diverse reliefs sought in the present writ petition, this Court directs the Respondent no.2 to treat the present writ petition as a representation of the Petitioner and decide the same by way of reasoned order in accordance with law, within twelve weeks.
4. With the aforesaid direction, the present writ petition along with pending application stands disposed of. In the event, the Petitioner is aggrieved by the decision of Respondent No.2, he shall be at liberty to file



appropriate proceedings in accordance with law. This Court clarifies that it has not commented on the merit of the controversy. The rights and contentions of all the parties are left open.

MANMOHAN, J

NAVIN CHAWLA, J

JANUARY 20, 2022
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