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

% ***Date of decision: 12.10.2022***

+ **W.P.(C) 14452/2022 & CM APPL. 44107-44108/2022**

RAJBIR SINGH Petitioner

Through: Mr. P. Sureshan, Advocate

versus

UNION OF INDIA & ORS. Respondents

Through: Mrs. Abha Malhotra, Sr. CGC with
ASI Rotash, CISF

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. Vide the present writ petition, the petitioner seeks following relief(s):

“a) Pass a writ of mandamus or any other appropriate writ to direct the respondents to grant annual increment to the petitioner for the year 2021 with all consequential benefits.

b) Direct the respondents to produce all the documents pertaining to the alleged punishment of “Withholding of one increment for a period of one year without Cumulative effect”

c) Direct the respondents to pay compensation to the petitioner for the mental harassment faced by him on account of not paying annual increment for the year 2021.

d) Direct the respondents to initiate disciplinary action against the fifth respondent for giving a false and erroneous statement in the Annual Performance Assessment Report of the petitioner from 01.01.2020 to 19.10.2020.

e) Direct the respondents to pay interest 18% per annum for the arrears of pay till the date of its realisation.

f) Direct the respondents to pay cost of this litigation to the petitioner.”

2. Learned counsel appearing on behalf of the respondents who is



appearing on advance notice submits that the petitioner has not mentioned regarding the *de novo* inquiry as well as outcome of the same in the present petition. Thus, the present petition is halfway filed by the petitioner.

3. Learned counsel for petitioner submits that he has no knowledge regarding the *de novo* inquiry as well as outcome of the same and further submits that if that is the position, he would withdraw the present petition if a direction is given to the respondents to provide complete record of the *de novo* inquiry and outcome of the same.

4. Accordingly, we hereby direct the respondents to serve copy of the *de novo* inquiry proceedings and the outcome of the same to the petitioner through counsel within four weeks. On receipt of the same, if the petitioner feels aggrieved by the *de novo* inquiry and its outcome, he may challenge the same before the appropriate forum as per law.

5. With directions as aforesaid, the present petition is disposed of. Pending applications also stand disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 12, 2022/rk