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

% *Date of decision: October 19, 2022*

+ W.P.(C) 14418/2021

SHER SINGH, EX CONSTABLE RPF Petitioner

Through: None.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Himanshu Pathak, SPC with Mr. Sachin A. Bhalade (CSC/RPF/NR) and Mr. Apurva Agnihotri (Sr. DSC/RPF)

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

CM. APPL. 45439/2022 (exemption from personal appearance)

1. Vide the present application, the applicants/respondents seek exemption from personal appearance of the General Manager, Northern Railway.
2. In view of the reasons stated in the said application, the same is allowed and the personal appearance of General Manager, Northern Railway is dispensed with.
3. Application is accordingly disposed of.

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4. Learned counsel appearing on behalf of the respondents on instructions submits that the impugned order dated 31.07.2019 was passed inadvertently and that the respondents shall reconsider the case of the petitioner and pass appropriate orders strictly in view of prayers (ii) and (iii) of the present petition.

5. In view of the above statement, we have taken the above petition for hearing today as nothing survives therein and set aside the order dated 31.07.2019.

6. Learned counsel for the respondents further submits that the respondents shall consider the present petition as a representation made by the petitioner and pass orders accordingly.

7. In view of the above, we hereby dispose of the present petition with the direction to the respondents to decide the same within four weeks and communicate the said order to the petitioner within one week thereafter.

8. Needless to say, if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before an appropriate forum.

9. The date already fixed i.e., 09.11.2022 stands cancelled.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

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