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

Judgment delivered on: 26.09.2023

+ W.P.(C) 12719/2023

INSP/GD DHIRAJ BHATT

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. N.L. Bareja, Advocate.

For the Respondents: Mr. Sushil Rajaa, Senior Panel Counsel with Mr. Vedansh Anand, GP for UOI

CORAM:**HON'BLE MR. JUSTICE SANJEEV SACHDEVA****HON'BLE MR. JUSTICE MANOJ JAIN****JUDGMENT****SANJEEV SACHDEVA, J. (ORAL)**

1. Learned counsel for the petitioner submits that by order dated 27.09.2013 in W.P. (C) No. 6738/2012, respondents were directed to grant the petitioner notional seniority as per order of his merit and consequential benefits. He submits that though notional seniority has been granted, no consequential benefit and pay fixation has been done as per the notional seniority. He submits that there is a recurring cause of action to the petitioner as every month he is getting salary lower than his entitlement. He submits that he had been representing from



time to time and requesting for grant of his consequential benefits which were not granted and finally on 28.02.2023 he has given a legal notice and till date has not received any reply. He submits that in the first instance, petitioner would be satisfied in case the legal notice sent by him on 28.02.2023 is treated as a representation and disposed of in accordance with law.

2. Learned counsel for the respondent under instructions submits that he has no objection to the said course of action.

3. In view of the above, this petition is disposed of with a direction to the respondents to treat the notice dated 28.02.2023 (Annexure-P2 to the petition) as a representation and to dispose of the same within a period of six weeks from today. The order on the representation be communicated to the petitioner. It would be open to the petitioner to avail of such remedies as may be available in law, in case aggrieved by the disposal of the representation. All rights and contentions of parties are reserved.

4. The petition is disposed of in the above terms.

5. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

SEPTEMBER 26, 2023

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