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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5843/2020 & CM APPL. 35473/2021 –Deletion of R-1
TAUFIQQ AHMAD KHANPetitioner

Through: Mr. Anilendra Pandey, Adv.

versus

UNION OF INDIARespondent

Through: Mr. Tanveer Ahmed Ansari, Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
29.08.2024

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1. The petitioner has approached this Court under Article 226 of the Constitution with a grievance that his appeal dated 29.09.2012 assailing the penalty order dated 16.06.2012 has not been decided till date.
2. Upon notice being issued, the respondent has filed its counter affidavit stating therein that as per the available record, no such appeal was received from the petitioner. In rejoinder, the petitioner has reiterated that though the appeal was submitted but him in his unit for being forwarded to the Appellate Authority through proper channel, no acknowledgment was issued to him.
3. In the light of these conflicting stands taken by the parties, even though it would not be possible for us to determine, at this stage, whether any appeal was indeed submitted by the petitioner, we are of the view that taking into account that the petitioner is still serving with the respondent, it



would be in the interest of justice that his appeal copy whereof has been annexed with the writ petition is decided on merits.

4. We, accordingly, dispose of the writ petition by directing the respondent to decide the petitioner's appeal [Annexure-P4] within a period of four months by passing a reasoned and speaking order.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 29, 2024
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