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

+ **W.P.(C) 9783/2024**

SURAJ KUMAR PASI

.....Petitioner

Through: Mr. Bhanu Gupta, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Aditya Vikram, SPC with Mr. Hussain Taqvi and Mr. Ayushman Sharma, Advs. with Mr. Shiv Kumar Singh, SI and Mr. Rajesh Singh, Legal Officer, CRPF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **19.07.2024**

CM APPL. 40150/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 9783/2024.

3. The petitioner has approached this Court seeking the following reliefs:-

"i. Issue a Writ of certiorari calling for the records and quash the impugned orders dated 20.04.2012 & 08.03.2021 passed by the Respondent No. 5 & 3.

ii. Issue a writ of mandamus commanding the Respondents to fix the basic pay of Petitioner at par with his colleagues namely Head Constable/GD Gandhi Charan Jena.

iii. Issue a writ of mandamus commanding the Respondents to decide the representation of Petitioner dated 07.03.2024."



4. After some arguments, learned counsel for the petitioner submits that for the present the petitioner would be satisfied, if the respondents are directed to decide the petitioner's pending representation dated 07.03.2024 by taking into account, the modified penalty order dated 08.03.2021 in a time bound manner.

5. Issue notice.

6. Mr. Aditya Vikram, learned counsel accepts notice on behalf of the respondents and submits that though the petitioner's request for modification of the penalty imposed on him cannot be re-considered now, the respondents will consider his prayer for revision of his pay, if any, as a result of the modified penalty order dated 08.03.2021.

7. In the light of this stand taken by the respondents, the petition is disposed of by directing the respondents to dispose of the petitioner's representation dated 07.03.2024 by passing a reasoned and speaking order within a period of eight weeks. It is however made clear that the respondents will be liable to consider only the petitioner's prayer for revision/correction of his pay as a fall out of the modified penalty order dated 08.03.2021.

8. Needless to say, in case the petitioner is aggrieved by any order passed by the respondents, it will be open for the petitioner to seek legal recourse as permissible in law.

REKHA PALLI, J.

SHALINDER KAUR, J.

JULY 19, 2024/SU