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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9973/2024**
VIRENDRA PAL, ASI/EXECUTIVE

.....Petitioner

Through: Mr. A.K. Mehta, Adv.

versus

UNION OF INDIA THROUGH ITS SECRETARY & ORS.

.....Respondents

Through: Mr. Abhishek Saket, SPCG with Ms
Sanna Harta, Adv., SI P. Devenda, Mr. Amit
Kumar and HC Solanki Sachin from CISF.
Mr. Shubham Prasad, G.P. for UOI.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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22.07.2024

CM APPL. 40843/2024 –Ex.

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

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3. After some arguments, learned counsel for the petitioner submits that for the present, the petitioner would be satisfied in case the respondents were to dispose of the petitioner's representation dated 01.03.2024 (Annexure P-7) in a time bound manner.
4. Learned counsel for the respondents, who appears on advance notice, submits that since the petitioner's appeal and revision both stand dismissed, the representation submitted by him is not maintainable.



5. Having considered the submissions of learned counsel for the parties, we are of the view that the respondents are correct in urging that there is no statutory provision for filing a representation by an employee after his revision petition stands rejected. However, taking into account the petitioner's plea that the cause for him to submit a representation arose only after the driver involved in the same accident was imposed the penalty on 28.06.2006, has been acquitted by the criminal Court on 15.05.2007, we are of the considered view that in the peculiar facts of the present case, it would be appropriate to direct the respondents to decide the petitioner's representation dated 01.03.2024 in a time bound manner.
6. The writ petition is, accordingly, disposed of by directing the respondents to decide the petitioner's representation within a period of 12 weeks from today by passing a reasoned and speaking order. Needless to state, in case the petitioner is aggrieved by any order passed by the respondents, it will be open for him to seek legal recourse, as permissible in law. We, however, make it clear that we have not expressed any opinion regarding the delay and laches on the part of the petitioner in submitting the representation.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 22, 2024
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