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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11012/2024

DHARMENDRA KUMAR

.....Petitioner

Through:

versus

UNION OF INDIA THROUGH ITS SECY. & ORS.

.....Respondents

Through: Mr.Nirvikar Verma, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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08.08.2024

CM APPL. 45474/2024 & CM APPL. 45475/2024

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(C) 11012/2024 & CM APPL. 45473/2024 (interim directions)

3. Despite passover, none appears on behalf of the petitioner.
4. Upon a perusal of the writ petition, we find that the petitioner has approached this Court assailing the order dated 14.01.2021 vide which he was dismissed from service. It is the petitioner's claim that though he had submitted a statutory appeal to the respondents on 12.02.2021, despite repeated reminders the same has not been decided till date.
5. In the light of these averments, we have put to learned counsel for the respondents as to why the petitioner's appeal has not been decided till date. He, however, has no satisfactory answers to the said query.



6. In these circumstances, we are of the considered view that instead of this Court considering the petitioner's challenge to the dismissal order, the respondents should, in the first instance, decide his statutory appeal. We, therefore, dispose of the writ petition by directing the respondents to decide the petitioner's appeal dated 12.02.2021 (Annexure P-3), if not already decided, within a period of six weeks from today by passing a reasoned and speaking order. In case, the petitioner's appeal already stands decided, the decision of the same be forwarded to him promptly.
7. 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 on all permissible grounds including grounds raised in the present petition.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 8, 2024

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