



2024:DHC:7906-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 14348/2024 & CM APPL. 60090/2024, CM APPL. 60091/2024

UNION OF INDIAPetitioner
Through: Mr. Vivek Kumar Goyal,
CGSC with Mr. Gokul Sharma, Adv.

versus

SHRI WARYAM MAST & ORS.Respondents
Through: Mr. Vinay Gupta, Adv.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER (ORAL)
09.10.2024

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C. HARI SHANKAR, J.

1. Mr. Vinay Gupta, learned Counsel for respondents, submits that, on facts, this case is identical to WP(C) 16315/2023 and other connected petitions which came up before a Coordinate Division Bench of this Court on 9 August 2024 and were dismissed by a detailed judgment, directing the petitioner to comply with the directions passed by the learned Tribunal.

2. The operative paragraph of the said decision reads thus:

“14. Accordingly, these petitions are hereby dismissed with direction to the petitioners to comply the directions of the learned Tribunal, by removing the anomalies and restructuring the cadre of Programme Officers, by burning midnight oil strictly within 06 weeks from today, failing which officers concerned shall be liable to be prosecuted under the Contempt of Courts Act.”

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3. Mr. Vivek Kumar Goyal, learned CGSC for the petitioners, very fairly submits that, on facts, there is no distinction between this petition and WP (C) 16315/2023. He, however, submits that certain aspects may not have been brought to the notice of the Division Bench in that case.

4. The need for maintaining consistency would require this Court not to take divergent decisions in identical cases.

5. Accordingly, this petition is disposed of in terms of para 14 of the judgment dated 9 August 2024 passed by a Coordinate Division Bench of this Court in WP (C) 16315/2023. However, as has been clarified by the learned Tribunal itself, compliance with the direction shall be subject to the outcome of the WP (C) 2146/2021 which is pending before this Court.

6. This petition is disposed of in the aforesaid terms.

C.HARI SHANKAR, J.

SHALINDER KAUR, J.

OCTOBER 9, 2024

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Click here to check corrigendum, if any