



2024:DHC:8678-DB



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

Date of decision: 06.11.2024

+ W.P.(C) 15461/2024 & CM APPL. 64884/2024
RAM DHAN PANCHAL & ANR.

.....Petitioners

Through: Mr. Abhay Bhargava,
Mr. Sathyaarth Sinha and
Mr. Wungramsem Champuiroo,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Krishna Kumar Sharma,
SPC with Mr. Anil Devlal, GP
for UOI

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

1. This petition has been filed by the petitioners under Article 226 of the Constitution of India, *inter alia*, challenging the Orders dated 14.09.2024 and 26.10.2024 passed by the IG/Principal, CTC CRPF, Panihar, Gwalior, respondent no. 3 herein, directing the recovery of the alleged inadmissible training allowance granted to the petitioners.
2. In the Impugned Order dated 14.09.2024 itself, the petitioners have been granted an opportunity to make a representation against the same within fifteen days from the date of issuance of the said notice.
3. The learned counsel for the respondents, who appears on



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advance notice, submits that the petitioners have not submitted any representation against the Impugned Order.

4. The learned counsel for the petitioners, on the other hand submits that it was not possible for the petitioners to submit their representations within fifteen days of the issuance of the Impugned Order as they were posted at remote places and in any case, did not have the wherewithal or the legal acumen to make a representation in such a short period.

5. Keeping in view the submissions made, it is directed that the respondents shall consider the content of the present petition as the representation of the petitioners in terms of and against the said Order dated 14.09.2024, and decide the same by way of a speaking order.

6. The learned counsel for the petitioners submits that in terms of the Impugned Order dated 26.10.2024, deduction of the alleged excess amount has already been made by the respondents.

7. We direct that in case the representation is decided in favour of the petitioners and any amount has been deducted by the respondents, in that event, the deducted amount shall be refunded to the petitioners within a period of three weeks of the passing of the order on the representation.

8. In case the decision of the respondents is adverse to the interest of the petitioners, the same shall not be given effect to and no recovery shall be made from the petitioners for a period of two weeks of the communication of the said order to the petitioners. The petitioners in that event shall be free to avail of their legal remedies, as may be advised, against the order passed by the respondents.



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9. We make it clear that we have not expressed any opinion on the merit of the present petition, or the Impugned Orders dated 14.09.2024 and/or 26.10.2024 passed by the respondents.

10. The petition along with the pending application is disposed of in the above terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 6, 2024/sg/DG

Click here to check corrigendum, if any