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

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+ W.P.(C) 15502/2024

VIJAY SINGH JOON

.....Petitioner

Through: Mr. Saurav Joon, Advocate.

versus

DELHI AGRICULTURAL MARKETING BOARD.....Respondent

Through: Ms. Avnish Ahlawat, Standing
Counsel with Mr. Nitesh Kumar Singh,
Ms. Laavanya Kaushik, Ms. Aliza Alam and
Mr. Mohnish Sehrawat, Advocates.

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+ W.P.(C) 15503/2024

PREM SINGH

.....Petitioner

Through: Mr. Saurav Joon, Advocate.

versus

DELHI AGRICULTURAL MARKETING BOARD.....Respondent

Through: Ms. Avnish Ahlawat, Standing
Counsel with Mr. Nitesh Kumar Singh,
Ms. Laavanya Kaushik, Ms. Aliza Alam and
Mr. Mohnish Sehrawat, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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07.11.2024

CM APPL. 65081/2024 and 65083/2024

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

W.P.(C) 15502/2024 and W.P.(C) 15503/2024

3. These writ petitions have been preferred on behalf of the Petitioners under Article 226 of the Constitution of India seeking benefits of full employment, including increments, benefits of MACP Scheme, etc. *albeit* there are no particulars in the body of the writ petitions.



4. Facts to the extent necessary are that Petitioners were appointed as Security Guards by Delhi Agricultural Marketing Board at the Agricultural Produce Market Committee (APMC), Narela on 01.01.1987. On a complaint made against the Petitioners by one Amit alleging bribery by Security Guard Umesh Kumar Singh, posted at Azadpur Mandi, investigation was initiated against some employees which included the Petitioners, pursuant to which Petitioners were placed under suspension on 23.04.2015. On review of the suspension by the Suspension Review Committee, suspension period was extended for 180 days w.e.f. 10.01.2016 vide Office Order dated 18.12.2015. Suspension period was further extended by 180 days w.e.f. 06.07.2016 vide Office Order dated 28.06.2016. Subsequently, by an order dated 27.12.2016, suspension of the Petitioners was revoked in exercise of power conferred under Rule 10(5) of Central Civil Services (Classification, Control and Appeal) Rules, 1965 and it was decided to reinstate the Petitioners.

5. It is averred in the writ petitions that the Special Judge (PC Act)-02, ACB, Rouse Avenue Courts, Delhi discharged the Petitioners on 11.12.2020 in FIR No.09/2015 registered under Sections 7 and 13 of the Prevention of Corruption Act, 1988, consequent to which Petitioners gave representations on 30.05.2023 requesting for all benefits to which they were entitled during the period they were under suspension. No action has been taken by the Respondent to grant the various benefits sought for and the Petitioner in W.P.(C.) No. 15502/2024 is due to retire on 30.04.2025. Petitioners have approached this Court for restoration of their benefits as the same will have an impact on the retiral benefits when the Petitioners retire on superannuation.



6. Issue notice.
7. Ms. Avnish Ahlawat, learned Standing Counsel accepts notice on behalf of the Respondent.
8. It is clear from the writ petitions and the documents appended thereto that Petitioners were suspended on account of on-going criminal proceedings in which they have been admittedly discharged by the Special Court on 11.12.2020. Armed with this order, Petitioners have been representing to the Respondent for restoration of various employment benefits but the representations are still pending. From the writ petitions, it is wholly unclear as to what benefits the Petitioners claim. In these circumstances, it would be appropriate to dispose of these writ petitions directing the Petitioners to make comprehensive representations to the Respondent spelling out the benefits they are entitled to as per law. As and when the representations are received by the Respondent, the same shall be decided within six weeks from the date of receipt by a reasoned and speaking order. The decision will be communicated to the Petitioners within one week and Petitioners will be at liberty to take recourse to legal remedies, in case of any surviving grievance and if so advised.
9. It is made clear that this Court has neither entered into nor expressed any opinion on the merits of the rival claims of the parties.

JYOTI SINGH, J

NOVEMBER 07, 2024

B.S. Rohella/shivam