



2024:DHC:8880-DB



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

Date of decision: 18.11.2024

+ **W.P.(C) 15917/2024, CM APPL. 66797/2024**

HANUMAN RAM & ORS.

.....Petitioners

Through: **Mr. Abhay Kumar Bhargava,**
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Himanshu Pathak, Mr.**
Kautilya Birat and Mr. Amit
Singh, Advs.

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 Order dated 14.09.2024 passed by the Inspector General/Principal of the Central Training Centre, CRPF, Panihar, Gwalior, respondent no. 3 herein, whereby it has been ordered that a recovery of the alleged inadmissible Training Allowance granted to the petitioners for the period of 01.04.2019 to 31.03.2023, shall be made.

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.



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3. The learned counsel for the respondents, who appears on 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 a 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. We direct that in case the representation is decided in favour of the petitioners and any amount has been deducted/recovered by the respondents pursuant to the impugned order, in that event, the deducted/recovered amount shall be refunded to the petitioners within a period of three weeks of the passing of the order on the representation.
7. 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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8. We make it clear that we have not expressed any opinion on the merit of the present petition or the Impugned Order dated 14.09.2024 passed by the respondents.

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

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 18, 2024

SU/SK/as

Click here to check corrigendum, if any