



2024:DHC:9969-DB



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

Date of decision: 18.12.2024

+ **W.P.(C) 17413/2024**

ANKUSH MAAN

.....Petitioner

Through: Mr.T.N.Saxena, Mr.Akshat Aggarwal, Mr.Abhijeet Singh and Dr. Shiv Kumar Tiwari, Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr.Manoj Kumar Tyagi, SPC with Ms.Akshit Tyagi, Ms.Santosh Sharma, Advocates and Mr.Ankur Yadav, GP

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL.74111/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. This petition has been filed by the petitioner seeking setting aside of the Office Memorandum dated 08.11.2021, bearing no. 18thBn/Estt./E-I/Resignation — Corrsp/ SI(GD)/ A.M/ 2021/ 14558-61, issued by the respondents.



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4. It is the case of the petitioner that the petitioner had tendered his resignation from the post of Sub Inspector (General Duty), which was duly accepted by the respondents *vide* the Impugned Office Memorandum, however, he was directed to pay a sum of Rs.7,27,818/- towards the training cost. The petitioner later learnt that from other similarly situated personnel a lesser amount is being charged. Aggrieved thereby the petitioner has filed the present petition.

5. Issue notice.

6. Notice is accepted by Mr.Manoj Kumar Tyagi, the learned SPC for the respondents.

7. He submits that he has received instructions that on reconsidering the case of the petitioner, it has been found that an amount of Rs.1,63,526/- has been charged in excess from the petitioner. He submits that the same shall be duly refunded to the petitioner.

8. On the other hand, the learned counsel for the petitioner submits that according to the petitioner, an amount of Rs.2,59,802/- has been charged in excess, as calculated by him in **Annexure - I** to the petition.

9. Having considered the submissions made by the learned counsels for the parties, we direct the respondents to refund an amount of Rs.1,63,526/- to the petitioner within a period of four weeks from today, by depositing the same in the following bank account of the petitioner, details whereof have been given by the learned counsel for the petitioner in the Court proceedings:



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ANKUSH MAAN
STATE BANK OF INDIA
A/C No. 20288449924
IFSC: SBIN0006817
Branch: Palla, Delhi

10. In case any other information is required by the respondents for processing the refund, the same shall be sought from the counsel for the petitioner.

11. As far as the claim of the petitioner regarding balance amount is concerned, the respondents shall provide its own calculation to the petitioner for arriving at the aforementioned figure of refund, within a period of four weeks from today.

12. In case the petitioner is of the opinion that the calculation is somewhere wrong, it shall be open to the petitioner to revive this petition by moving an appropriate application.

13. The petition is disposed of with the above directions.

NAVIN CHAWLA, J

SHALINDER KAUR, J

DECEMBER 18, 2024
SV/DG

Click here to check corrigendum, if any