



2025:DHC:232-DB



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

Date of decision: 17.01.2025

+ W.P.(C) 619/2025, CM APPL. 2855/2025

HC WM BANSI LAL

.....Petitioner

Through: Mr. Abhay Kumar Bhargava,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. G. D. Sharma with Mr.
Dushyant, 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 petitioner under Article 226 of the Constitution of India, *inter alia*, challenging the Orders dated 14.09.2024, passed by the Inspector General of Police/Principal, Central Training Centre (CTC), CRPF, Panihar, Gwalior, respondent no. 3 herein, and 20.09.2024, passed by CIAT School, Keripubul Shiv Puri, whereby the recovery of the alleged inadmissible training allowance granted to the petitioner.

2. In the Impugned Order dated 14.09.2024 itself, the petitioner has 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



2025:DHC:232-DB



advance notice, submits that the petitioner has not submitted any representation against the Impugned Order.

4. The learned counsel for the petitioner, on the other hand submits that it was not possible for the petitioner to submit his representation within fifteen days of the issuance of the Impugned Order as he was posted at a remote place 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 petitioner 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 petitioner submits that in terms of the Impugned Order dated 20.09.2024, 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 petitioner and any amount has been deducted by the respondents, in that event, the deducted amount shall be refunded to the petitioner 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 petitioner, the same shall not be given effect to and no recovery shall be made from the petitioner for a period of two weeks of the communication of the said order to the petitioner. The petitioner in that event shall be free to avail of the legal remedies, as may be



2025:DHC:232-DB



advised, against the order passed by the respondents.

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 20.09.2024 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

JANUARY 17, 2025/ss/km

Click here to check corrigendum, if any