



\$~89

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 815/2025**
SH. SHIV KUMAR CHAUDHARYPetitioner
Through: **Mr. Amit Gupta, Adv.**

versus

MR. RAJEEV KUMARRespondent
Through: **Mrs. Avnish Ahlawat, (SC GNCTD)**
Services, Mr. Nitesh Kumar Singh,
Ms. Aliza Alam, Ms. Laavanya
Kaushik, Mr. Mohnish Sehrawat, Mr.
Amitoj Chadha, Advs.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **21.05.2025**
CM APPL. 31220/2025 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of.

CONT.CAS(C) 815/2025

1. This petition has been filed alleging wilful disobedience of order dated 13th January 2025 passed in **W.P.(C) 332/2025**, the directions passed by the Court, read as under:

1. The petitioner seeks compassionate appointment in the respondent – Public Works Department, Government of National Capital Territory of Delhi [“PWD”]. It is submitted that his father was employed by PWD and died in harness on 26.02.2019.
2. Learned counsel for the petitioner submits that the petitioner would be satisfied at this stage with a direction upon the respondent to respond



to his representation dated 04.12.2024 within a time-bound manner.

3. Without prejudice to the respondent's rights and contentions, Mrs. Avnish Ahlawat, learned for the respondent, who appears on advance notice, submits that the representation will be addressed within a period

of eight weeks from today. However, she points out that the issue raised in this writ petition is susceptible to the jurisdiction of the Central Administrative Tribunal ["CAT"] established under the Administrative Tribunals Act, 1985, and in terms of the judgment of the Supreme Court in *L. Chandra Kumar v. Union of India & Ors.* [(1997) 3 SCC 261].

4. In view of the above submissions, the writ petition is disposed of with the direction that respondent will respond to the petitioner's representation within eight weeks as aforesaid. If the petitioner seeks any further directions, he will be at liberty to approach the CAT in accordance with law, and all rights and contentions of the respondent, including on limitation, are left open for consideration by the CAT.

2. *Mr. Mohnish Sehrawat*, Counsel, appears on behalf of PWD and states on instructions that the representation will be decided within the next two weeks.

3. On this undertaking, the petition is disposed of, with liberty to petitioner to revive the same, in the event, the timeline provided, is not abided.

4. It is pointed out that in case, the representation is not decided within this timeline, the concerned officer will be proceeded against, for contempt.

5. *Mr. Mohnish Sehrawat*, Advocate will immediately inform the concerned officer to ensure compliance, within the said two weeks. Post the compliance, the response will be sent by way of a written communication, from Mr. Mohnish Sehrawat to counsel for petitioner.

6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 21, 2025/ak/kp