

(2023) 03 DEL CK 0163

In the Delhi High Court

Case No : Civil Writ Petition No. 3652 Of 2023, Civil Miscellaneous Application
No. 14159 Of 2023

Asi/Ph Bhuwan Chandra Dhyani And Ors.

APPELLANT

Vs

Union Of India And Ors.

RESPONDENT

Date of Decision : 23-03-2023

Acts Referred:

Citation : (2023) 03 DEL CK 0163

Hon'ble Judges : Suresh Kumar Kait, J; Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Ankita Patnaik, Rajesh Kumar, Vinod Tiwari, Ramneet Kaur

Final Decision : Disposed Of

Judgement

1. Vide the present petition, the petitioners are seeking following reliefs:

"a.) Issue a Writ of Certiorari quashing orders if any denying the grant of the benefits of judgment dated 23.08.2022 passed by Hon'ble High Court of Delhi in W.P.(C) No.11034/2018 being ASI/Pharmacist Biswa Prakash Jena & Ors v. UOI & Ors and consequently order dated 11.01.2023 issued by the Respondent no. 3;

b.) Alternatively issue a Writ of Mandamus directing the Respondents to expedite the consideration of the grant of the benefits of judgment dated 23.08.2022 and extend the benefits in a time bound manner."

2. Learned counsel for the petitioners submits that the petitioners had submitted their grievance to the respondents through Ministry of Home Affairs Centralised Public Grievance Redress and Monitoring System vide Source Regn. No. MINHA/E/2022/21064 dated 17.12.2022. The respondents, in response to the said grievance, replied vide Order dated 17.01.2023 which reads as under:

"DIRECTORATE GENERAL, CRPF, MEDICAL BRANCH EAST BLOCK-7 LEVEL-1, SECTOR-1, R.K. PURAM, NEW DELHI-110066.

(Ministry of Home Affairs)

No. M.V-2/2023-Med-9 Dated, the Jan, 2023

To,

No.045250253

ASI/Pharm, Alu Lakshman,

Field Hospital, Pamed of CRPF

(Through DIGP, CH, Jagdalpur)

Subject: GRIEVANCE RELATED TO MHA CPGRAMS

Please refer you grievance made on MHA CPGRAMS vide Source Regn. No. MINHA/E/2022/21064 dated 17/12/2022 and Req reference No. OF-CP-2022-032542.

2. The grievance submitted by you has been examined in Medical Dte and it is found that Hon'ble High Court of Delhi vide judgement dated 23/08/2022 in WPC No. 11034/2018 ordered in favour of 11 petitioners. Accordingly, necessary order has been issued vide order No. J.II-1/2022-Med-3 dated 11/01/2023. In this connection Law Dte. has intimated that similar cases of 46 Pharmacist of same batch having the same grievances lying pending before Medical Dte. may be examined and if found similarly situated, then a proposal may be sent for approval of competent authority after concurrence of FA for similar action to mitigate further litigation. Further, board of Officers have also been detailed to check and verify the recruitment details of similarly placed personnel eligible as per Court order *ibid*. On receipt of opinion/report of board, proposal will be moved for approval of competent authority after financial concurrence of Finance branch Directorate CRPF.

3. Since, the case is already under consideration, therefore, the grievance under reference No. OF-CP-2022-032532 is hereby closed. This has the approval of the IG/Director (Medical).

Dy. Director (Medical)"

3. Since, the prayers of the petitioners are under consideration, therefore, we hereby dispose of the present petition directing the respondents to take a final decision on the same within two months from today.

4. The decision, so taken, shall be communicated in writing with a reasoned order to the petitioners within one week thereafter.

5. Accordingly, the present petition along with pending application is disposed of.

6. Needless to state that if the petitioners are still aggrieved by the decision of the respondents, they may challenge the same before the appropriate forum.