

(2021) 03 DEL CK 0032

In the Delhi High Court

Case No : Civil Writ Petition No. 8199, 10790, 12925, 12929, 12958 Of 2019, 218, 9287 Of 2020, Civil Miscellaneous Application No. 44578, 52736, 52740, 52829 Of 2019, 691, 29956 Of 2020

Biswajit Roy& Ors

APPELLANT

Vs

Union Of India & Anr

RESPONDENT

Date of Decision : 01-03-2021

Acts Referred:

Sashastra Seema Bal Rules, 2009 — Rule 29

Citation : (2021) 03 DEL CK 0032

Hon'ble Judges : Manmohan, J;Asha Menon, J

Bench : Division Bench

Advocate : K B Upadhyay, Suman Chauhan, Anju Gupta, Arnav Kumar, Rakesh Kumar, Jitendra Kumar Tripathi, Suraj Kumar, Kamal Kant Jha, Sheetal Raghuvanshi

Final Decision : Disposed Of

Judgement

Manmohan, J

1. The petitions have been heard by way of video conferencing.
2. Present writ petitions have been filed challenging show cause notices issued by the respondent No. 3 (Sashastra Seema Bal).
3. Learned counsel for the respondents raises preliminary objections to the maintainability of the present writ petitions on the ground that they are premature as they assail only show cause notices. He further submits that in the event an adverse order is passed against the petitioners in pursuance to the show cause notices, the petitioners have alternative effective remedy of filing statutory appeals under Rule 29 of the Sashastra Seema Bal Rules, 2009.

4. In view of the aforesaid, learned counsel for the petitioners states that he would be satisfied in the event this Court were to direct that if termination orders are passed in pursuance to the impugned show cause notices, the same shall not be given effect to for a period of two weeks, so that the petitioner can avail of the statutory remedy.

5. Having heard learned counsel for the parties, this Court directs that the respondents shall pass a reasoned order disposing of the show cause notices within two weeks. However, in the event the services of the petitioners are terminated, then the said order shall not be given effect to for two weeks, during which time, the petitioners shall be at liberty to file statutory appeals under Rule 29 of Shasatra Seema Bal Rules, 2009. This Court clarifies that it has not expressed any opinion on the merits of the controversy. All the rights and contentions of the parties are left open.

6. With the aforesaid directions, the present writ petitions along with pending applications stand disposed of. Interim orders, if any, stand vacated.

7. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.