

(2020) 08 DEL CK 0009

In the Delhi High Court

Case No : Civil Writ Petition No. 4929 Of 2020

Dr A. K. Singla

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 05-08-2020

Acts Referred:

Constitution Of India, 1950 — Article 226, 227
Code Of Civil Procedure, 1908 — Section 151

Citation : (2020) 08 DEL CK 0009

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Rajeev Sharma, Sharad Chand Srivastav, Dev P. Bhardwaj

Final Decision : Disposed Of

Judgement

Siddharth Mridul, J

CM APPL.17803/2020 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

CM APPL.17809/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/petitioner seeking exemption

from filing duly attested affidavits by Oath Commissioner in support of the accompanying writ petition, as well as, applications.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/petitioner is allowed to file

the duly signed and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

CM APPL. 17810/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/petitioner seeking exemption from filing the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/petitioner is allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

W.P.(C) 4929/2020 & CM APPL.17804/2020 (Directions)

1. The present writ petition under Articles 226 and 227 of the Constitution of India instituted on behalf of the petitioner challenging the orders dated

12.03.2020 passed by the Honâ??ble Central Administrative Tribunal, Principal Bench, New Delhi in O.A. No.3940/2017, prays as follows:

â??(i) To issue a writ of the nature of certiorari and set aside the impugned order dated 12.03.2020 in O.A. No.3940/2017 as illegal and

unconstitutional;

(ii) To issue a writ of the nature of mandamus issuing direction to the respondents that petitioner is entitled to remained in service up till the age of 65 years;

(iii) To issue direction to the respondents to grant all the consequential benefits to the petitioner;

(iv) The Honâ??ble Court may pass any other order/direction as deemed fit and proper in the facts and circumstances of the present case.â??

2. After some arguments, Mr. Rajeev Sharma, learned counsel appearing on behalf of the petitioner limits the relief in the present proceedings to a

direction to the Union of India, Ministry of Agriculture, Department of Animal Husbandry Dairying and Fisheries/respondent No.3, to respond to a

representation that he proposes to make to the latter on the subject of the raising the age of retirement of Veterinary Doctors to 65 years in parity with

the age of retirement, as extended to the Medical Doctors.

3. Issue notice.

4. Mr. Dev P. Bhardwaj, learned Central Government Standing Counsel accepts

notice on behalf of the Union of India.

5. Having heard learned counsel appearing on behalf of the parties and perused the record, it is directed that if the petitioner makes a representation,

as afore-stated, within a period of one week from today, the Competent Authority may consider the same in accordance with law and respond to the

same under intimation to the petitioner by way of a speaking order, as expeditiously as possible and preferably within a period of eight weeks from today.

6. No further directions are called for.

7. With the above directions, the present writ petition is disposed of. The pending application also stands disposed of.

8. A copy of this order be provided electronically to counsel appearing on behalf of the parties and be also uploaded on the website of this Court.