
(2021) 09 DEL CK 0176

In the Delhi High Court

Case No : Civil Writ Petition No. 6475 Of 2021

Hem Prasad Bhatt & Ors.

APPELLANT

Vs

Union Of India, & Ors.

RESPONDENT

Date of Decision : 27-09-2021

Acts Referred:

Citation : (2021) 09 DEL CK 0176

Hon'ble Judges : Manmohan, J;Navin Chawla, J

Bench : Division Bench

Advocate : Asish Nischal, Sarat Chandra

Final Decision : Disposed Of

Judgement

Manmohan, J

CM APPL. 33739/2021

1. The application has been heard by way of video conferencing.
2. Present application has been filed by the respondents seeking recall of the order dated 14th July, 2021 and for dismissal of the present writ petition with costs.
3. Learned Counsel for the Applicants/ Respondents states that the present writ petition is based upon alleged non-compliance of the legal notice dated 1st May, 2021 issued to the UOI /Respondents, and also forms the basis of the order dated 14th July, 2021 passed by the learned predecessor Division Bench.
4. Learned Counsel for the Applicants/ Respondents states that the said legal notice is not traceable in the office of respondents/ CRPF and no proof of posting or delivery of the same has been annexed by the petitioners.
5. Issue notice. Mr. Asish Nischal, Advocate, accepts notice on behalf of petitioners/non-applicants. He states that notice, in question, has been sent by e-mail by his previous Stenographer who has, unfortunately, expired after the

issuance of the notice. He states that even if the notice had not been dispatched, it would have no impact on the relief claimed in the present writ petition.

6. A perusal of the writ petition shows that the petitioners are claiming benefit of MACP in accordance with the order passed by the Supreme Court in Union of India Vs. R.K. Sharma, Civil Appeal No. 1579/2021.

7. The respondents in the present application have stated that none of the petitioners is entitled to revision in the emoluments in terms of the aforesaid judgment.

8. Accordingly, without entering into the merits of the controversy as to whether notice dated 01st May, 2021 had been served upon the respondents or not, we dispose of the present writ petition by directing the respondents to give reasons in support of their decision that none of the petitioners is entitled to revision in the emoluments in terms of the judgment of the Supreme Court in Union of India Vs. R.K. Sharma (supra). The said reasons shall be provided to the counsel for petitioners within eight weeks.

9. With the aforesaid direction, the present application and writ petition stand disposed of.

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