
(2021) 03 DEL CK 0337

In the Delhi High Court

Case No : Civil Writ Petition No. 3618 Of 2021

Srishti Dalit Samaj Kalyan Sudhar Samiti, Regd., Through: Its President, Sh. Satish Chouhan APPELLANT

Vs

Govt. Of Nct Of Delhi & Ors RESPONDENT

Date of Decision : 19-03-2021

Acts Referred:

Citation : (2021) 03 DEL CK 0337

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ; Jasmeet Singh, J

Bench : Division Bench

Advocate : Ashok Kumar, Urvi Mohan, Sanjoy Ghose

Final Decision : Dismissed

Judgement

D.N.Patel, CJ

CM APPL. 10984/2021 (exemption)

Allowed, subject to just exceptions.

W.P.(C) 3618/2021

1. This so called public interest litigation has been preferred with the following prayers:-

"a) Rule nisi be issued and be affirmed after notice to the respondents, and /or

b) Issue writ of mandamus thereby directing the respondents to comply with the circular bearing no. F.28(4)/2008/F&S/P&C/952-964 dated 25.09.19 passed by Sh. Desh Raj Singh, Assistant Commissioner (Policy) office of the Commissioners Food Supply & Consumer Affairs, Govt. of Delhi

c) And the cost of writ petition also be awarded in favour of the petitioner.

d) Any other order or relief, which this Hon'ble court may deems fit and proper under the facts and circumstances of the case be also awarded in the interest of

justice and in favour of the petitioner and against the respondent."

2. Having heard the counsels for both the sides and looking into the facts of the case it appears that this petition has been preferred seeking a direction upon respondents to comply with a circular issued by the Assistant Commissioner (Policy) dated 25th September, 2019.

3. It is submitted by learned counsel for the respondents that they are always complying with the policy decisions finalised by the respondents. There is no specific violation pointed out by the petitioner. As and when such type of specific violations are pointed out by joining necessary parties, the respondents will look into the grievances.

4. We are in full agreement with the contentions raised by the learned counsel for the respondents. There is a presumption that the respondents are obeying the law and the policy decisions, unless otherwise pointed out by the petitioner by joining necessary parties as respondents.

5. In the facts of the present case there is no specific instances quoted by the petitioner nor the violator of the law has been joined as a party respondent and therefore we see no reason to entertain this writ petition at this stage. Liberty is reserved with the petitioner to point out specific violation of the policy floated by the Government. As and when such type of issue is raised by the petitioner the same will be decided in accordance with law. With these observations, this writ petition is hereby dismissed.