

# Hem Prasad Bhatt & Ors vs Union Of India & Ors on 14 July, 2021

**Author: Rajiv Sahai Endlaw**

**Bench: Rajiv Sahai Endlaw, Amit Bansal**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 6475/2021  
HEM PRASAD BHATT & ORS. .... Petitioners  
Through: Mr. Asish Nischal, Adv.  
versus

UNION OF INDIA & ORS. .... Respondents  
Through: Mr. Sarat Chandra, Adv.

CORAM:  
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW  
HON'BLE MR. JUSTICE AMIT BANSAL  
ORDER

% 14.07.2021

[VIA VIDEO CONFERENCING]

1. The ninety three personnel of the respondents Central Reserve Police Force (CRPF), after the respondents CRPF failed to consider their representation contained in the legal notice dated 1st May, 2021, have filed this petition seeking revision in the emoluments in terms of the judgment dated 28th April, 2021 of the Supreme Court in Civil Appeal No.1579/2021 titled Union of India Vs. R.K. Sharma.

2. Not only did the respondents CRPF not take any decision inspite of the legal notice dated 1st May, 2021, but the counsel for the respondents CRPF appearing on advance notice today also merely states that the respondents CRPF will have to examine the case of the petitioners.

3. The respondents ,CRPF by their such acts, are encouraging unnecessary litigation. Once a representation is made, and is not immediately rejected as frivolous, a decision ought to be taken thereon, so that the personnel of the forces like CRPF are not compelled to knock on the doors of the Court and instead of, performing their duties in the defence/security of the country, are compelled to waste time in the Courts. Even if consideration of the representation is taking time, at least the representationists should be informed so, so that they know that their representation is under consideration and an order will be passed thereon.

4. In the aforesaid circumstances, to ensure that a decision giving reasons is now taken within a time bound manner, we have asked the counsel for the respondents CRPF, the particulars of the officer of

the respondents CRPF who would be responsible therefor and be liable for consequences of non-compliance.

5. The counsel for the respondents states that he has no instructions and though on our request has contacted the respondents CRPF but states that he is unable to contact and/or they are on leave.

6. In the circumstances, we have no option but to direct the Director General, CRPF to ensure that a decision on the representation of the petitioners preceding the writ petition is taken on or before the next date and placed before this Court and to immediately on receipt of this order make the officer concerned, by name responsible for implementation and communicate the name of such official to this Court and which official, in the event of non-compliance will be personally responsible for consequences.

7. Issue notice in the aforesaid terms.

8. Notice is accepted by the counsel for the respondents CRPF.

9. Decision with reasons as aforesaid be placed before this Court before the next date of hearing with advance copy to the counsel for the petitioners.

10. List on 27th September, 2021.

11. The counsel for the respondents CRPF to ensure communication of this order to the Director General, CRPF within four days hereof.

RAJIV SAHAI ENDLAW, J AMIT BANSAL, J JULY 14, 2021 'pp'