

Satabdi Mazumder And Ors vs Union Of India And Anr on 27 July, 2020

Author: Siddharth Mridul

Bench: Siddharth Mridul, Talwant Singh

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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 701/2020

SATABDI MAZUMDER AND ORS. Petitioners

Through : Mr. Salman Khurshid, Sr. Advocate
with Mr. Arpit Shukla, Ms. Gargi
Srivastava, and Ms. Mitali Chauhan,
Advocates for petitioner no.2, 4, 6
and 8.
Mr. J Sai Deepak with Mr. G Nataraj
and Mr. Avinash K Sharma,
Advocates for P-1.

versus

UNION OF INDIA AND ANR. Respondents

Through: Mr. Naresh Kaushik with Mr.
Vardhman Kaushik, Advocates for
UPSC.

+ W.P.(C) 1029/2020

SAJID ALI ABDUL QADIR Petitioner

Through : Mr Ajay Garg Advocate along with
Ms Varnika Bajaj and Ms. Prishta
Devi Advocates.

versus

UNION PUBLIC SERVICE

COMMISSION AND ANR.

.... Respondents

Through: Mr. Naresh Kaushik with Mr.
Vardhman Kaushik, Advocates for
UPSC.

W.P.(C.) 701/2020, 1029/2020, 1158/2020, 1195/2020 & 1365/2020 Page 1 of 6

+ W.P.(C) 1158/2020

UNION PUBLIC SERVICE COMMISSION

THROUGH THE CHAIRMAN Petitioner
Through: Mr. Naresh Kaushik with Mr.
Vardhman Kaushik, Advocates for
UPSC.

versus

SOUMYA PANDEY AND ORS. Respondents
Through: Mr. Salman Khurshid, Sr. Advocate
with Mr. Arpit Shukla, Ms. Gargi
Srivastava, and Ms. Mitali Chauhan,
Advocates.
Mr. Chetan Sharma, ASG with Mr.
Anil Dabas, Advocate for UOI.
Mr. Arunav Patnaik and Mr.
Shikhar Saha, Advocates for
intervenor applicant.

+ W.P.(C) 1195/2020

PRINCE GARG Petitioner
Through: Mr. J Sai Deepak with Mr. G Nataraj
and Mr. Avinash K Sharma,
Advocates.

versus

UNION OF INDIA AND ANR. Respondents
Through: Mr. Naresh Kaushik with Mr.
Vardhman Kaushik, Advocates for
UPSC.

W.P.(C.) 701/2020, 1029/2020, 1158/2020, 1195/2020 & 1365/2020
+ W.P.(C) 1365/2020

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VIKAS AGARWAL Petitioner
Through: Mr. J Sai Deepak with Mr. G Nataraj
and Mr. Avinash K Sharma,
Advocates.

versus

UNION OF INDIA AND ANR. Respondents
Through: Mr. Naresh Kaushik with Mr.
Vardhman Kaushik, Advocates for
UPSC.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MR. JUSTICE TALWANT SINGH
ORDER

% 27.07.2020 The present matters have been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic. CM APPL. 5833/2020 (Exemption) in WP (C) 1158/2020 CM APPL. 3956/2020 (Exemption) in WP (C) 1195/2020 Exemptions granted subject to all just exceptions. The applications are disposed of accordingly. CM APPL. 16065/2020 (Exemption) in WP (C) 701/2020 The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/petitioner No.1 seeking permission to file the documents without proper margin and uncertified copies, affidavits without attestation in support of the accompanying applications and to pay 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 No.1 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. Further, 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. The applicant/petitioner No.1 is also permitted to file the documents without proper margin and uncertified copies, subject to all just exceptions With the above directions, the present application is disposed of. CM APPL.16209/2020 (Exemption of court fee) in WP (C) 1158/2020 The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/intervener 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/intervener 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. CM APPL. 14070/2020 (for early hearing) in W.P.(C) 701/2020 CM APPL. 14045/2020 (for early hearing) in W.P.(C) 1029/2020 CM APPL. 14132/2020 (for early hearing) in W.P.(C) 1195/2020 Since the writ petitions itself are being heard finally, the present applications have been rendered infructuous.

The applications are dismissed as having become infructuous and disposed of accordingly.

CM APPL.16208/2020 (for impleadment) in W.P.(C) 1158/2020 Issue notice.

Counsel, as above accept notice on behalf of the non-applicant.

Mr. Naresh Kaushik, learned counsel appearing on behalf of the UPSC/petitioner fairly states that, in view of the circumstance that the applicant/intervener was a party before the learned Central Administrative Tribunal, he has no objection, if the present application is allowed and the applicant/intervener is permitted to intervene as a party-respondent to the present writ petition.

We observe that Shridhar Ravsaheb Limbikai was one of the party before the learned Central Administrative Tribunal and is consequently, a proper and necessary party for the effective adjudication of the accompanying writ petition in order to prevent multiplicity of proceedings.

In view of the foregoing and in the interest of justice, the present application is allowed.

Shridhar Ravsaheb Limbikai, the applicant/intervener is impleaded as a party-respondent in the accompanying writ petition. The amended memo of parties be filed by the applicant/intervener within a period of one week from today.

The application is disposed of accordingly. W.P.(C) 701/2020 & CM APPL.16064/2020 W.P.(C) 1029/2020, CM APPL. 3340/2020 & CM APPL.8256/2020 W.P.(C) 1158/2020, CM APPL. 3855/2020 & CM APPL.5832/2020 W.P.(C) 1195/2020 W.P.(C) 1365/2020 At request of Mr. Naresh Kaushik, learned counsel appearing on behalf of the UPSC, in order to enable him to place on record communication bearing F.No.7/13/2019-E-III dated 27.07.2020, the hearing of these petitions is adjourned.

Let the said communication be placed on record before the next date of hearing.

List on 29.07.2020.

SIDDHARTH MRIDUL, J TALWANT SINGH, J JULY 27, 2020 dn/nk