



\$~15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1228/2020**

RAJEEV AGRAWAL

..... Petitioner

Through: Mr.Prashant Bhushan and Mr.Omana
Kuttan KK., Advs.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms.Suparna Srivastava, CGSC with
Mr.Tushar Mathur, Adv. for R-1 to 3.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

08.01.2021

This matter is being heard through video-conferencing.

CM APPL. 577/2021

1. On the last date of hearing this court had passed the following order:

“W.P.(0 1228/2020 & CM APPL. 4230/2020 (stay)

The impugned dismissal order is passed by respondent no. 5 with whom the petitioner was employed.

Issue notice to respondent no. 5. Mr. Ghosh accepts notice on behalf of respondent no. 5. Counter affidavit/reply may be filed within four weeks.Rejoinder thereto, if any, may be filed four days before the date fixed.

List on 24.04.2020.”

2. Counter affidavit has not been filed by respondent No.5. The learned Counsel appearing for respondent No.5 shall file the counter affidavit within one week from today with a copy to the learned counsel for the petitioner



who may file rejoinder within one week thereafter.

3. I find that respondent No.6 the authority who had issued the chargesheet has been made a party-respondent by name. Mr.Bhushan, learned counsel appearing for the petitioner, has drawn my attention to the grounds in the petition to contend that the allegations of mala fide have been made against the respondent No.6 for issuing the chargesheet. If that be so, the respondent No.6 must also file an affidavit with regard to the allegations made qua him in this petition.

4. Notice including *dasti* be issued for service on the respondent No.6, returnable on February 22, 2021. The notice shall be accompanied by a copy of the petition and notice shall also state that respondent No.6 shall also file affidavit on the allegations made qua him in the petition within ten (10) days of the receipt of the notice.

V. KAMESWAR RAO, J

JANUARY 08, 2021/bh