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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2694/2021 and CM APPL. 7974/2021

PRAKASH CHAND

.....Petitioner

Through: Mr. Vaibhav Kalra and Ms. Neha Bhatnagar, Advocates.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Vikrant N. Goyal and Mr. Rajat Srivastava, Advocates for R1/UOI.

Mr. Ashish Kumar Pandey and Ms. Kanupriya Tiwari, Advocates for R2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

09.07.2024

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1. Order dated 10.11.2023 passed by the learned Registrar reflects that learned counsel for Respondent No.1 had earlier made a statement that he will rely upon counter affidavit of Respondent No.2, as and when the same is filed. However, right of Respondent No.2 to file the counter affidavit was already closed vide order dated 16.03.2022. No steps have been taken by any of the Respondents to assail the said order and as a result, there is no counter affidavit on record to oppose the petition. The order also records that despite service on Respondents No.3 to 20 through Respondent No.2, there was no appearance on their behalf. In the interest of justice, six weeks' time was granted to Respondents No.3 to 20 to file the counter affidavits. Matter was adjourned to 02.05.2024, on which date the learned Registrar closed the right of Respondents No.3 to 20 to file counter affidavits as neither there was any appearance on their behalf nor any counter affidavit was filed.



2. It is, indeed, a sorry state of affairs where neither of the Respondents have taken steps to defend their case. However, considering that the dispute involved in the present case pertains to an *inter se* seniority between the Petitioner and Respondents No.3 to 20, in the interest of justice and considering that their rights may be impacted if the Petitioner was to succeed, a direction is issued to Respondent No.2 to intimate Respondents No.3 to 20 of the next date of hearing in writing and proof of the same shall be filed on an affidavit well before the next date of hearing. It is made clear that if despite intimation, Respondents No.3 to 20 choose not to appear on the next date, Court will proceed to hear the writ petition, in their absence.
3. List for final hearing on 21.08.2024.

JYOTI SINGH, J

JULY 9, 2024/DV/JG/kks