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

+ W.P.(C) 10147/2020 & CM APPL. 32320/2020 (stay)

PANKAJ

..... Petitioner

Through: Mr.Kunwar Arish Ali, Mr.S.M.Prasad
& Mr.Zubair Ali, Advs.

versus

GOVERNMENT OF NCT OF DELHI & ANR. Respondents

Through: Mr.Yeeshu Jain, SC, UOI with
Ms.Surbhi Arora, Adv.

Mr.Tushar Sannu, SC, IHBAS with Ms.Ritika
Priya, Adv. & Mr.R.S.Saini, AAO, IHBAS

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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07.07.2022

CM APPL. 29560/2022 & CM APPL. 29561/2022 (condonation of delay)

1. These are applications filed by the respondent no.2 seeking condonation of delay of 15 days in filing counter affidavit as also delay of 90 days in re-filing the counter affidavit.
2. For the reasons stated in the applications, the same are allowed. The delay of 15 days in filing the counter affidavit and the delay of 90 days in re-filing the counter affidavit is condoned and the counter affidavit is taken on record.
3. The applications stand disposed of.

W.P.(C) 10147/2020 & CM APPL. 32320/2020 (stay)

4. The petitioner has approached this Court assailing the memorandum dated 13.11.2020 issued by the respondent no.2 vide which the petitioner's report qua joining duties after the expiry of the medical



leave has been kept in abeyance till further orders.

5. Learned counsel for the respondent no.1 submits that he does not propose to file any counter affidavit and will be relying on the documents already on record.
6. In the light of the aforesaid stand taken by the respondent no.1, pleadings in the matter are treated as complete.
7. The primary submission of learned counsel for the petitioner is that this order of abeyance could not have been continued for an indefinite period as the petitioner is suffering from grave hardship on account of not being permitted to join his duty, even after a period of almost two years.
8. Learned counsel for the respondent no.2 prays for, and is granted, time to obtain instructions including as to whether any inquiry has been initiated against the petitioner, or into any incident leading to the passing of the impugned memorandum.
9. At request, list on 20.10.2022.

JULY 7, 2022

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REKHA PALLI, J