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

+ **W.P.(C) 9577/2019 & CM 39403/2019**

UNION OF INDIA

..... Petitioner

Through: Mr.Hanu Bhaskar, Sr. CGSC.

Versus

**NATIONAL COMMISSION FOR SCHEDULED CASTES AND
ANR.**

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **02.09.2019**

Issue notice to the respondents, returnable on 23rd October, 2019.

It is the case of the petitioner that the dispute before the respondent no. 1 is purely a service matter in which the proceedings are pending before the Central Administrative Tribunal in form of a Review Petition filed by the petitioner and also in a Writ Petition being WP (C) No. 9553/2018 titled **Sanjay Kumar & Ors. vs. Girish Chander Dabral & Ors.** before this Court.

The learned counsel for the petitioner submits that the respondent no. 1 by the Impugned Order has issued the following directions:-

“5. The Commission heard the matter several times but Ministry & departments have failed to resolve the issue. The Commission observed that the matter is already dismissed in the Hon'ble High Court, Delhi and M/o I&B, unnecessary buying time to delay the case. It has also been seen that the D/o AIR & M/o I&B knowingly harassing the petitioner. It is the high handedness of the department and the ministry. It is clear cut case of atrocity. Here it is advised that the D.G, AIR & Secretary, M/o I&B take up this seriously otherwise the Commission will take up this matter as per the provision



of SC/ST POA (Act), 2015. On the basis of the facts and circumstances of the case, the Commission recommends that the authorities of M/o I&B and AIR to consider the case of petitioner and conduct DPC within a week time and withdraw the case from CAT, New Delhi as it has already been dismissed in the Hon'ble High Court, Delhi. The Commission further directed that the no DPC for the post of PEX to JTS will be held till the matter is resolved in the Commission.

6. Secretary, M/o I&B, D.G, AIR & D.G, Doordarshan should be present in person in the forthcoming hearing to resolve the issue.”

He submits that the respondent no. 1 has wrongly observed that the Writ Petition has been dismissed by this Court as the Writ Petition filed by some of the officers is still pending for adjudication before this Court. The learned counsel for the petitioner further submits that it is purely a service dispute.

Having considered the submissions made by the learned counsel for the petitioner, there shall be a stay on the operation of the Impugned Order dated 19.07.2019 passed by the respondent no. 1 till the next date of hearing.

List on 23rd October, 2019.

NAVIN CHAWLA, J

SEPTEMBER 02, 2019/rv