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

+ **W.P.(C) 16795/2022**

**NO. 100098774 EX. SUB INSPECTOR VISHAL KUMAR
PANDEY**

.....Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Akash Vajpai, CGSC

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.07.2026

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1. Initially, the petition was filed through a lawyer, thereafter, the petitioner started appearing in person before the Court.
2. We have heard the parties for some time.
3. We have given an option to the petitioner, who appears in person, that if he wishes, we can accommodate him by granting an adjournment so as to facilitate him to engage a lawyer to argue his matter effectively.
4. Such opportunity is declined by the party in-person and has informed that he himself will argue in person.
5. The record depicts that the Show Cause Noticed 20th May, 2020 was duly replied by the petitioner by two modes: (a) speed post; and (b) by email.
6. Though the reply was received by the respondents, it is inferred from the record that the respondents have taken the stand that reply was not



received.

7. In such an eventuality, relegating the petitioner to alternate remedy would be against the position of law, particularly, in view of law laid down by Apex Court in the matter of ***Whirpool Corporation Vs. Registrar of Trade Marks [(1998) 8 SCC 1]***, wherein the Apex Court held that in case if there is a denial of opportunity of hearing, it is not necessary for a party to take recourse to alternate remedy.

8. In view of above, it was open for us to hold that, though reply was before respondents before passing the order of dismissal, the respondents have intentionally ignored the same.

9. At this stage, learned counsel for the respondents seeks time till day after tomorrow to take his written instructions.

10. At request, by way of last chance, list on 22nd July, 2026.

NITIN WASUDEO SAMBRE, J

AMIT SHARMA, J

JULY 20, 2026/ay/ok