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

+ **W.P.(C) 2070/2013**

INDIAN FARMERS FERTILISER COOPERATIVE LTD

..... Petitioner

Through: Mr. Rajiv Bansal, Senior Advocate with
Mr. Shailendra Swarup, Ms. Bindu Saxena,
Advocates

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Jasmeet Singh, CGSC for R-1/UOI.

+ **W.P.(C) 2616/2013**

KRISHAK BHARTI COOPERATIVE LTD

..... Petitioner

Through: Mr. V.P. Singh, Senior Advocate with
Mr. Om Prakash, Ms. Arzoo Raj and Mr. Pranav
Subramanyan, Advocates

versus

UOI AND ORS

..... Respondent

Through: Mr. Ripu Daman Bhardwaj, CGSC with
Mr. T.P. Singh and Mr. Sahaj Garg, Advocates for
R-1/UOI.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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28.04.2017

REVIEW PET. 533/2016 and CM APPL. 44971/2016 in W.P.(C) 2070/2013 and REVIEW PET. 539/2016 and CM APPL. 45195/2016 in W.P.(C) 2616/2013 (by the petitioner for review of the order dated 16.08.2016 and condonation of delay of 86 days in filing the review pet.)

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1. The present applications have been filed by the respondent No.1/UOI stating *inter alia* that on 16.8.2016, no submission was made by the learned Standing Counsel for the Central Government to the effect that apart from OM dated 01.03.2013, issued by the Ministry of Chemicals and Fertilizers, Department of Fertilizers, Government of India, another OM dated 13.07.2016 issued by the Ministry of Personnel, Public Grievances and Pension, Department of Personnel and Training, Government of India, also stood withdrawn. Learned counsel clarifies that the Government of India had only withdrawn OM dated 01.03.2013, as was recorded in para 2 of the order dated 16.08.2016. But in the following para, i.e. in para 3 of the said order, it has been observed that OM dated 01.02.2013 does not survive, which was never the intention of the respondent.
2. It is quite apparent from a perusal of the order dated 16.08.2016 that the statement of the Standing Counsel for the Central Government was recorded only in respect of OM dated 01.03.2013. In para 3 of the order, the court has expressed its own view that in the light of the fresh OM dated 13.07.2016, the impugned OM dated 01.03.2013 as also the OM dated 01.02.2013, do not survive. This does not mean that the said submission was put in the mouth of the counsel for the respondent No.1/UOI as sought to be argued. The same was an opinion expressed by the Court.
3. In these circumstances, this Court is not inclined to entertain the review applications as there is no error apparent on the face of the record.



The remedy of the respondent, if any, lies elsewhere.

4. The review applications are dismissed alongwith the applications for condonation of delay.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

APRIL 28, 2017

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W.P.(C) 2070/2013 and connected matters

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