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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 15338/2022 and CM APPLs. 47628/2022 and 8499/2025

UNION OF INDIA & ANR.Petitioner

Through: Ms. Pratima N. Lakra, CGSC
with Mr. Chandan Prajapati, Advocates

versus

ALL INDIA POSTAL ACCOUNTS
EMPLOYEES ASSOCIATION & ORS.Respondent

Through: Mr. Himanshu Pathak, SPC
with Mr. Rudra, G.P., Mr. Anand Awasthi
and Mr. Amit Singh, Advs. for R-1 to R-4.
Ms. Sumita Hazarika and Mr. Prakhar
Gupta, Advocates

+ W.P.(C) 16869/2022 and CM APPL. 53417/2022

UNION OF INDIA & ORS.Petitioner

Through: Ms. Pratima N. Lakra, CGSC
with Mr. Chandan Prajapati, Advocates

versus

B.G. DHAMANGAOKAR & ORS.Respondent

Through: Ms. Sumita Hazarika and Mr.
Prakhar Gupta, Advocates

+ W.P.(C) 12663/2023 and CM APPL. 49917/2023

UNION OF INDIA AND ORS.Petitioner

Through: Ms. Garima Sachdeva, Sr.
Panel Counsel

versus



K.L. SAINI AND ORS.Respondent
Through: Ms. Sumita Hazarika and Mr.
Prakhar Gupta, Advocates

+ W.P.(C) 12667/2023 and CM APPL. 49927/2023

UNION OF INDIA & ORS.Petitioner
Through: Ms. Garima Sachdeva, Sr.
Panel Counsel

versus

C.S. CHOUHAN & ORS.Respondent
Through: Ms. Sumita Hazarika and Mr.
Prakhar Gupta, Advocates

+ W.P.(C) 8910/2024

UNION OF INDIA & ANR.Petitioner
Through: Ms. Arunima Dwivedi, CGSC
with Ms. Pinky Pawar and Ms. Kritika
Sharma, Advocates

versus

SRI DEBANANDA BHATTACHARJEE
AND ORS.Respondent
Through: Ms. Sumita Hazarika and Mr.
Prakhar Gupta, Advocates

CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR
HON'BLE MR. JUSTICE AJAY DIGPAUL

% **ORDER**
25.02.2025

1. We have, today, 106 matters on board. Several deal with cases



of Group D employees and casual labourers who have been languishing for years without regularization, widows who are waiting for pension, persons who have retired and are in the twilight of their lives with no means to survive and persons who have been dismissed or terminated from service and are without jobs since long. We also have cases who persons whose candidature, for appointment to various posts, have been cancelled at the nth hour and who are, therefore, unemployed now.

2. A majority of the petitions before us are of more than 5 years' vintage.

3. As against this, the issue in the present petitions is with respect the date from which the respondents would be entitled to the benefit of the Pay Commission recommendations. That they have been extended the benefit is not in dispute. They seek the benefits from an earlier date.

4. These are writ petitions of the years 2022 to 2024.

5. In these circumstances, we informed Ms. Hazarika that it would not be possible, or even proper, for us to prioritize these matters and, therefore, proposed to renotify them for another date.

6. Ms Hazarika took serious umbrage to our proposed course of action. She submitted that the matter is covered in her favour by the judgement in *UOI v. N.K. Mishra*¹ and *All India Railway Accounts*

¹ 2024 SCC OnLine Del 475



Staff Association & others v. UOI². Ms Lakra, for the petitioner-UOI, disputes this.

7. Ms Hazarika objects to the matter being adjourned and submits that she has every right to argue the cases today itself and that this Court, if it is inclined to disagree with the judgements she cites, may say so. Ms Hazarika further submits that this Court has a constitutional duty to hear every matter which is listed before it.

8. If only we could.

9. We would not have taken exception to these submissions of Ms Hazarika, as we are used to Counsel expecting that every matter should be heard. After all, every citizen has a right to aspire to dispensation of justice.

10. Ms Hazarika did not, however, stop there. She said that we were “choosing and picking” cases to be heard.

11. This is deeply disturbing.

12. Our endeavour has always been to dispose of as many matters as possible. In doing so, we have to factor in the urgency of the matter and its longevity. Else, we would be doing more injustice than justice.

13. We tried to explain this to Ms Hazarika, but she is not convinced.

14. Clearly, Ms Hazarika has no faith in this Bench, and feels that it

² 2019 SCC OnLine Del 12183



is arbitrarily choosing the cases it wants to hear. In these circumstances, applying the principle that justice must not only be done but must be seen to have been done, we do not think it appropriate for us to retain these matters with us.

15. Accordingly, list these matters before another Bench, subject to orders of Hon'ble the Chief Justice, on 4 March 2025.

C.HARI SHANKAR, J.

AJAY DIGPAUL, J.

FEBRUARY 25, 2025

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Click here to check corrigendum, if any