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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1523/2016

ALL INDIA RAILWAY ACCOUNTS STAFF ASSOCIATION AND
ORS

..... Petitioners

Through: Ms. Sunita Hazarika, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Kashish G. Baweja, Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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11.01.2024

**CM APPL. 15231/2023 (for condonation of delay of 98 days in filing
reply to CM APPL. 21148/2022)**

1. This is an application filed by the respondents seeking condonation of 98 days delay in filing reply to CM 21148/2022. The application is, for the reasons stated therein, allowed and consequently, the delay in filing the aforesaid reply stands condoned.
2. The application stands disposed of.

CM APPL. 21148/2022 (for clarification)

3. This is an application filed by the petitioners seeking clarification of order dated 18.12.2019 vide which their writ petition was allowed. Learned counsel for the petitioners submits that even though the writ petition was allowed, the respondents are not extending the benefits of



the order to all the members of the petitioner no. 1 association. She, therefore, prays that it may be clarified that the benefit of decision of this Court would be extended to all the members of the petitioner no. 1 association.

4. Learned counsel for the respondents vehemently opposes the application and submits that since the members of the petitioner no. 1 association did not file their individual affidavits, they cannot be extended the benefits of this Court's decision dated 18.12.2019.
5. Having considered the rival submissions of the parties, we are of the view that all the persons who were members of the petitioner no.1 association as on the date of filing of the O.A. No. 4419/2014 deserve to be extended the benefits of the decision dated 18.12.2019. Once the association was arrayed as petitioner no. 1 and there was admittedly no direction issued to it's members to file their individual affidavits, it cannot now be said that members of the petitioner no. 1 association will not be extended the benefits on account of non-filing of their individual affidavits.
6. The application is, accordingly, disposed of by clarifying that the benefit of this Court's decision dated 18.12.2019 will also be extended to all members of the petitioner no. 1 association who were members as on the date of filing of the O.A. No. 4419/2014.

REKHA PALLI, J

SACHIN DATTA, J

JANUARY 11, 2024

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