

\$~34

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

+ W.P.(C) 4568/2019

HON. IVAN BARRY TRAYLING Petitioner

Through: Mr S. M. Dalal and Mr D. S. Bora,
Advocates.

versus

UNION OF INDIA AND ANR. Respondents

Through: Mr Jitendra Kr. Tripathi, CGP for Mr
Rajesh Gogna, CGSC for UOI.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 30.04.2019

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to respondent no.1 to take steps for the forfeiture of the National Award of 'Padma Shri' conferred on respondent no.2, by following the procedure laid down in Regulation 10 of the Notification dated 02.01.1954. It is alleged that respondent no. 2 has been using the Padma Shri as a prefix or suffix to his name, which is not permissible.

2. The learned counsel appearing for the petitioner submits that the Supreme Court in its decision in ***Balaji Raghavan and S.P. Anand v. Union of India: (1996) 1 SCC 361*** had clarified that the National Awards do not amount to conferring titles, within the meaning of Article 18(1) and they should not be used as suffixes or prefixes. It was also stated that if this was done, the award conferred should be withdrawn by following the procedure as laid down in Regulation 10 of the Notifications creating the said awards.

The petitioner's grievance is that although he had made a complaint in this regard, the same has not been processed.

3. The learned counsel appearing for the petitioner states that the petitioner is particularly interested in the present matter, since he was a member of the Royal Bombay Yacht Club and according to him respondent no.2 had brought disrepute to the Club by using the Padma Shri as a suffix or prefix to his name. The said contention is unmerited. First of all, the petitioner is no longer a member of the said club. Second, the said club is competent to take measures against any of its member, if so warranted. It is apparent that the petitioner has no particular interest in the matter.

4. It is also pointed out that a show cause notice dated 21.08.2018 was issued by the Government of India to respondent no.2, calling upon respondent no.2 to give an explanation in this regard.

5. Since respondent no.1 (Union of India) has already instituted the procedure for examining the question, this Court does not consider it necessary to pass any order. Needless to state that respondent no.1 shall consider the explanation provided by respondent no.2, and take such steps as may be warranted in its discretion.

6. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

APRIL 30, 2019
MK