

GAHC010112032022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WA/243/2022

PRATAP CHANDRA NAYAK, FORCE NO. 850872588 ASSISTANT SI/GENERAL
DUTY
PRESENTLY POSTED AT 149 BN. CRPF , JOYSAGAR, SIBSAGAR, ASSAM,
785665.

VERSUS

THE UNION OF INDIA AND 4 ORS. B
REPRESENTED BY THE SECRETARY TO THE GOVT. OF INDIA, MINISTRY
OF HOME AFFAIRS, NEW DELHI-01

2:THE DIRECTOR GENERAL
CRPF
CGO COMPLEX
LODHI ROAD
NEW DELHI-03

3:INSPECTOR GENERAL OF POLICE
NES
CRPF
STONEY HEAVEN
BISHOP COTTON ROAD
SHILLONG
MEGHALAYA-01

4:THE DY. INSPECTOR GENERAL OF POLICE
CRPF
GROUP CENTRE
9TH MILE
AMERIGOG
GHY-23
ASSAM

5:THE COMMANDANT
164 BATTALION
CRPF AT LOCATIO

Advocate for the Petitioner : MR. R MAZUMDAR

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KARDAK ETE

ORDER

Date : 20-06-2024

(Vijay Bishnoi, CJ)

After attempting to argue the matter quite some time, learned counsel for the appellant contended that as a matter of fact, at the time of final hearing of the Writ Petition before the learned Single Judge, the counsel for the appellant failed to bring into the notice of the Court of the provision of Rule 102 of the Central Reserve Police Force (CRPF) Rules, 1955, which clearly provides that in respect of matters for which no provision is made under the CRPF Rules, 1955, they shall be the same as are for the time being applicable to other officers of Government of India. It is submitted that as per Rule 102 of the CRPF Rules, 1955, the provisions of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, would be applicable.

It is submitted by counsel for the appellant that he has instructions to withdraw this Writ Appeal with the liberty to file a Review Petition before the learned Single Judge.

The learned counsel for the respondents has no objection if such liberty is granted.

Hence, this Writ Appeal is dismissed on withdrawal with the liberty to the appellant to approach the learned Single Judge by filing a Review Petition.

Needless to say that if any adverse order is passed against the appellant, he can avail appropriate remedy available under the law.

JUDGE

CHIEF JUSTICE

Comparing Assistant