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

+ W.P.(C) 6226/2015 and CM No.11340/2015

SIGNALMAN JITENDRA KUMAR VERMA Petitioner

Through: Ms Archana Ramesh and Major K.
Ramesh, Advs.

versus

UNION OF INDIA & ORS Respondents

Through: Mr Kirtiman Singh, CGSC and
Mr Gyanesh Bhardwaj, Advs. for UOI

And

W.P.(C) 6231/2015 and CM No.11348/2015

LANCE NAIK KARAMBIR Petitioner

Through: Ms Archana Ramesh and Major K.
Ramesh, Advs.

versus

UNION OF INDIA & ORS. Respondent

Through: Mr Kirtiman Singh, CGSC and
Mr Gyanesh Bhardwaj, Advs. for UOI

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% **20.07.2015**

The petitioners in both the proceedings under Article 226 of the Constitution complain that they were unfairly excluded from the UN Mission. After notice was issued, the respondents had sought time to obtain instructions. Today, Mr Kirtiman Singh, Standing Counsel for Central Government is present and seeks leave of the Court to place on record the affidavit of the Union of India. Consequently, counter-

affidavit is taken on record. In the counter-affidavit, the Central Government submits that it has now been decided that both the petitioners are detailed for deployment in the UN Mission. The averments of the affidavit read as under:-

“4. However, vacancies for Force Sig Coy were reduced by SO Dte (IHQ of MoD Army) which controlled induction for UN Mission vide their letter No. 27590/3/STR/Reduction/SD-3A (UN) dated 27.03.2015. Accordingly, DG Sigs (Sigs 4) issued a RTU order of the Petitioner from Force Sig Coy vide their letter No.B/44383/Sigs 4 (b-2)/R dated 11.05.2015 and the Records Signals issued letter No.2188/CA1/UNMSN/Congo dated 19.05.2015. A copy letter dated 27.05.2015, 11.05.2015 and 19.05.2015 is annexed herewith and marked as Annexure-B (Colly).”

5. The answering respondents respectfully submits that the Petitioner has now been detailed for deployment in UNMSN with 8 DOGRA Inf Bn Gp UNIFIL LEBANON (2ND Rotn) with instruction to report by 13 August 2015 vide DG Sigs (Sigs 4) letter No B/44383/Sigs 4(b-2)/PC-184 dated 23.06.2015 and sig No. 2188/CA1/UNMSN/LEB dated 30.06.2015 of the Records Signals. A copy of letter dated 23.06.2015 and 30.06.2015 is annexed herewith and marked as Annexure –C (Colly).”

The relevant detailment order dated 23.06.2015, enclosed with the counter-affidavit reads, *inter alia*, as follow:-

“Detailment of PERS with various Contingents

1. Ref the fwg:-

(a) Our letter No.B/44353/Sigs 4(b-2) Lebanon dt 29 May, 2015

(b) Our letter No.B/44383/Sigs 4(b-2) 18 SIKH dt 29 May 2015

(c) Our letter No.B/44383/Sigs 4(b-2) FBC 31st and 32nd Rotn dt. 29 May 2015.

2. The fwg X X be made in our letters under ref.

(a) No.1589397 Sigmn (ITC) Kothapalla Dillbabu 1 TTR of (1 STC) who was detailed with 16 Sikh Inf Bn Gp (1st Rotn) with dt of reporting 10 Aug 15 be taken off due to reduction of vac and No.15703462 X X Sigmn (TTC) PXX GM Rao of 3 Fd Sub Gp be detailed in lieu.

(b) No.15695358L LNk (OCC) Rakesh Kumar Maurya of 2 MTN DIV SIG REGT who was detailed with 8 DOGRA inf Bn Gp (2nd Rotn) with dt of reporting 13 Aug 15 be taken off due to reduction of vac and no.15669636W Sigmn (OCC) JK Verma of 297 DSR, be detailed in lieu.

(c) No.15879151F LNk (Dvr MT) Manat Prasad Tripathi of 33 ADSR (A) was detailed to dply as adv party of Force Big Coy (31st Rotn), be taken off due to reduction of vac and 15673971X LNk (Dvr MT) Karambir of MT Coy, 2 STC be detailed in lieu.”

Learned counsel for the petitioner expresses apprehension that the respondents would not, in fact, forward the names pursuant to the order.

We are of the opinion that the apprehension is groundless. The respondents have committed to deployment of the petitioner in W.P.(C) No.6231/2015 at 31 rotation bound to South Sudan. Likewise, the petitioner in W.P.(C) No.6226/2015, according to the respondents, would be seconded to the second rotation bound to

Lebanon.

In view of the above, no further directions are called for.

The writ petitions are disposed off.

Order dasti.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JULY 20, 2015

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