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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 169/2016**
RAMPHAL Petitioner

Through: Mr. D.S. Kauntae, Advocate.

versus

UNION OF INDIA & ORS Respondents
Through: Mr. Anuj Aggarwal, Advocate
alongwith Mr. Arvind Sharma,
Advocate.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER
% **11.01.2016**

Issue notice. Mr. Anuj Aggarwal, Advocate appearing on behalf of the respondents accepts notice.

The limited claim in these proceedings is that the Director General/Border Security Force has not considered the petitioner's appeal, against the conviction and order of sentence made against him on 03.05.2012 by the Commandant 97 Battalion. The respondents urge that the appeal-dated 28.10.2014/09.01.2015 has not yet been received and in any case it is delayed.

The Court is of the opinion that the petitioner's right to departmental or administrative review by an appellate authority cannot be denied even though the BSF has not apparently received the appeal.

The appeal is annexed at Pages 45 to 56 as Annexure P-4.

In these circumstances, the Director General/Border Security Force shall pass a speaking order within eight weeks on the said appeal and communicate his decision directly to the petitioner in case the appellate order is adverse to him.

The writ petition is disposed of in above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

JANUARY 11, 2016

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