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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 99/2013 & C.M.No.21729/2016

R K AGARWAL

..... Petitioner

Through Ms.Ankita Patnaik, Advocate.

versus

SUBHASH SHARMA SECY BRBD & ORS Respondents

Through Mr.Sanjeev Narula, CGSC with
Mr.Sunil Dalal, Mr.Abhishek Ghai
and Ms.Vinita, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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02.12.2016

Learned counsel for the petitioner states that despite the Division Bench judgment and order dated 10th October, 2012 passed in W.P.(C) No.4748/1999, the petitioner has not been given the consequential benefits like promotion and commutation of 40% of pension and gratuity.

In the reply-affidavit, it has been stated that by the respondents that though the penalty imposed in the first case of the petitioner has been set aside by the Division Bench vide its judgment and order dated 10th October, 2012, yet the department has reopened the second disciplinary case that was pending against the petitioner and as a consequence, certain benefits pertaining to gratuity and commutation of pension have been withheld in accordance with the applicable rules, regulations and instructions.

At this stage, learned counsel for the petitioner wishes to withdraw the present petition with liberty to file appropriate proceedings in accordance with law.

With the aforesaid liberty, present contempt petition is dismissed as withdrawn.

The respondents are also directed to furnish the enquiry report to the petitioner as soon as it is received back from the disciplinary authority i.e. the Ministry of Defence.

MANMOHAN, J

DECEMBER 02, 2016
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