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

+ W.P.(C) 1676/2016

SEP. ABHISHEK KUMAR TRIPATHI Petitioner
Through: Mr. Santosh Kumar & Mr. Anand
Kumar, Advocates

versus

UNION OF INDIA & ORS. Respondents
Through: Ms. Shubhra Prashar, Advocate for
respondents No.1 to 3

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
29.02.2016

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1. The present petition has been filed by the petitioner praying *inter alia* for quashing the order dated 8th May, 2014 whereunder, he has been held guilty for the charge of being intoxicated on 7th May, 2014 and inflicted punishment of 28 days rigorous imprisonment.

2. Learned counsel for the petitioner states that aggrieved by the aforesaid order, the petitioner has filed an appeal on 2nd May, 2015 before the respondent No.3/Officer Incharge, AOC Records, based at Secunderabad, which has not been decided so far.

3. Learned counsel for the respondents, who appears on advance notice, opposes the maintainability of the present petition in this Court on the ground that the entire records pertaining to the petitioner's case are at

Secunderabad and further, the petitioner is presently posted at Rajasthan. He further states that instead of assailing only the order dated 8th May, 2014, the petitioner has filed an appeal challenging several orders of separate punishments awarded to him starting from 10th October, 2011 onwards, which is impermissible. He clarifies that the respondents would have no objection to considering the petitioner's pending appeal provided, he confines the same to the punishment awarded vide order dated 8th May, 2014.

4. Accordingly, the present petition is disposed of with directions to the respondents to decide the petitioner's pending appeal dated 2nd May, 2015 confined to the order dated 8th May, 2014, within six weeks, under written intimation to him. If the petitioner is aggrieved by the decision that may be taken by the competent authority, he shall be entitled to seek his remedies before the competent court, in accordance with law.

5. The present petition is disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 29, 2016

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