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

+ W.P.(C) 1070/2016 & C.M. 4682/2016

SUKDEB SAHU Petitioner

Through: Mr. Vardhman Kaushik &
Mr. Sayeed Messan, Advocates

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Santosh Kohli, Central
Government Counsel with Mr.S.S.
Sejwal, Law Officer, CRPF

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

04.03.2016

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1. On 12th February, 2016, counsel for the petitioner had stated that prior to filing of the present petition, the petitioner had submitted a substantive representation dated 10th November, 2015, addressed to the respondents but a copy thereof had not been filed. Liberty was granted to the petitioner to file the said document, with an advance copy furnished to the other side so as to enable counsel for the respondents to obtain instructions from the department.

2. Learned counsel for the petitioner states that due to *bona fide* inadvertence, he could not file a copy of the representation dated 10th November, 2015. However, a copy has been furnished to the counsel for

the respondents, who states that the aforesaid representation has been submitted by the petitioner to the Commandant, 5 Signal BN, CRPF, Hallomajra, Chandigarh (U.T.) and no actionable cause of action has arisen in Delhi which would entitle the petitioner to file the present petition in this Court.

3. We find that the representation dated 10th November, 2015 has been submitted by the petitioner to the Commandant, 5 Signal BN, CRPF, Hallomajra, Chandigarh (U.T.) who is the competent authority.

4. On inquiry as to how would the petition lie in Delhi, learned counsel for the petitioner seeks permission to withdraw the same, while reserving a right of the petitioner to seek his remedies against the respondents before the competent court, vested with territorial jurisdiction.

5. Leave as prayed for, is granted.

6. The petition and the pending application are dismissed as withdrawn.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 04, 2016

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