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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1621/2016
NK PURSHOTAM DUTT Petitioner
Through: Ms. Prabha Sharma, Advocate

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. C.M. Goyal, Advocate with
Mr. S.S. Sejwal, Law Officer &
Mr. B.K. Rout, Pairvi Officer

CORAM:

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

ORDER
23.03.2016

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1. The present petition has been filed by the petitioner praying *inter alia* for issuance of directions to the respondents to consider his claim for grant of compassionate allowance under Rule 41 of the CCS (Pension) Rules, 1972, w.e.f. the date of his dismissal i.e. 22nd October, 2001, and to quash and set aside the impugned order dated 23rd December, 2015, passed by the Commandant, 60 Battalion, CRPF, Chakradharpur, Jharkhand.
2. On the last date of hearing, learned counsel for the petitioner had asserted that the petitioner is living in an extremely penurious condition and has a family comprising of a widowed mother, wife and four minor children. She had sought time to establish the financial condition of the

petitioner and his family, for which SDM of the concerned area was directed to submit a report.

3. Learned counsel for the petitioner states that she has not been able to file the report of the SDM, as the same has been furnished to her by the petitioner only yesterday. A copy thereof has been handed over to the other side and placed on record.

4. Learned counsel for the respondents raises a preliminary objection with regard to the maintainability of the present petition on the ground that the impugned order dated 23rd December, 2015, has been passed by the Commandant, 60 Battalion, CRPF, Chakradharpur, Jharkhand and no part of the cause of action has arisen in Delhi for the petitioner to file the present petition in this Court.

5. After addressing arguments for some time, learned counsel for the petitioner seeks leave to withdraw the present petition, while reserving the right of the petitioner to assail the impugned order dated 23rd December, 2015, before the competent court vested with the territorial jurisdiction to entertain the same.

6. Leave as prayed for is granted.

7. The petition is dismissed as withdrawn.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 23, 2016

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