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

+ W.P.(C) 1999/2016

SARDARA RAM

..... Petitioner

Represented by: Mr.Srinavasa Rao K., Advocate

versus

DIRECTOR GENERAL, INDO-TIBETAN
BORDER POLICE & ANR

..... Respondents

Represented by: Mr.Manish Mohan, CGSC with
Mr.Shivam Chanana and Ms.Manisha
Saroja, Advocates

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **04.08.2016**

1. Writ petition is totally misdirected. The petitioner is challenging an order withdrawing an earlier promotion order. The petitioner has raised grievances in the petition concerning attitude of a superior officer. Petitioner alleges caste bias. The counter affidavit would evince that the earlier promotion order was withdrawn because it went unnoticed that the petitioner was facing disciplinary proceedings and thus a promotion could not be effected till disciplinary proceedings terminated. The disciplinary proceedings terminated in a penalty of severe reprimand being inflicted. The effect of the impugned order is to postpone the date of promotion.

2. The petitioner has not challenged on the ground of mala-fide the departmental proceedings initiated. Neither has the penalty imposed being

challenged.

3. Faced as aforesaid counsel seeks leave to withdraw the writ petition with liberty to file a fresh petition challenging the initiation of the disciplinary proceedings as also the penalty levied and the impugned order.
4. Liberty granted as prayed for.
5. Writ petition is dismissed as withdrawn.
6. No costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

AUGUST 04, 2016

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