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

+ W.P.(C) 3422/2016 & C.M. 14649/2016

NAIK RAJEEV KUMAR C Petitioner

Through: Mr. Major K. Ramesh and Ms.
Archana Ramesh, Advocates

versus

UNION OF INDIA & ORS Respondents

Through: Ms. Barkha Babbar, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

06.05.2016

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1. On the last date of hearing, learned counsel for the respondents had volunteered, on instructions, that if the petitioner submits a representation for being posted at Bangalore to enable him to take care of the treatment of his minor son who is suffering from cancer, they would not be averse to considering the same favourably, in accordance with law.

2. In view of the said submission, learned counsel for the petitioner had sought time to obtain instructions from his client.

3. Today, learned counsel for the petitioner states that his client has drafted a representation for seeking premature retirement as his remaining period of pensionable service is ten months. In other words, he would be completing service of 15 years at the end of ten months, which would entitle him to seek pension.

4. A copy of the said representation has been handed over to learned counsel for the respondents. The petitioner shall submit the original representation to the competent authority within three days from today.
5. Learned counsel for the respondents submits that the petitioner be directed to undertake that he shall not withdraw his request for premature retirement at any stage.
6. Learned counsel for the petitioner states on instructions that the petitioner shall abide by the affirmative decision taken by the respondent on his representation. The petitioner shall be bound by the said undertaking.
7. The petitioner's representation shall be considered and decided by the respondent as per the records and in accordance with law at the earliest. Till a decision is taken on the said representation, the petitioner shall remain posted at Trivandrum, Kerala.
8. The present petition is disposed of along with pending application.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 06, 2016

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