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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7072/2016**

MUKESH KUMAR Petitioner
Through: Mr.Rajiv Kumar Jha, Mr.K.K.Jha,
K.U.Pratap, Advs.

versus

DIRECTOR GENERAL AND ORS Respondents
Through: Mr.Rajesh Kumar, Adv. for R-1, 7 and 8
along with Mr.Harminder Singh, AC, CISF.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **12.08.2016**

1. The challenge in this writ petition is to the order of removal passed by the disciplinary authority which is dated 25th May, 2016.
2. Mr. Rajesh Kumar, Advocate appearing for respondent nos.1, 7 and 8 submit that against the final order of penalty, a remedy of appeal has been provided under Rule 46 (2) of the Central Industrial Security Force Rules, 2001 and the petitioner must avail the said remedy.
3. On this submission of learned counsel for the respondent nos.1, 7 and 8, the learned counsel for the petitioner submits that as the order

dated 25th May, 2006 is in violation of Articles 14, 15 and 16 of the Constitution of India, the writ petition needs to be entertained.

4. Having considered the submissions, this Court is of the view that the petitioner must avail the departmental remedy and approach the appellate Authority by way of an appeal against the order of penalty. If the appeal is filed within three weeks from today, the same shall be entertained by the Appellate Authority, who shall pass an order on the appeal within two weeks, thereafter.

5. Writ petition is disposed of.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

AUGUST 12, 2016
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