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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CONT.CAS(C) 979/2016 & CM APPL. 30388/2016**

MANOJ KUMAR Petitioner
Through Mr. Srinivasa Rao K., Advocate

versus

KRISHNA CHAUDHARY Respondent
Through Mr. Ripu Daman Bhardwaj, CGSC
with Mr. T.P. Singh, Advocate

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
22.08.2016

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Present contempt petition has been filed alleging wilful disobedience of the order dated 21st March, 2016 passed in W.P.(C) 2417/2016 whereby a direction was issued to the respondents to decide petitioner's appeal on merit by passing a speaking order under written intimation to him.

Learned counsel for the petitioner states that though the petitioner's appeal has been disposed of vide order dated 3rd June, 2016, however, the order on the petitioner's appeal has been passed by the Deputy Inspector General of ITBP, who did not have the authority to pass the said order. He contends that the ITBP Act has conferred the said power only on the Director General of ITBP.

However, this Court is of the opinion that the aforesaid submission cannot form basis for filing of the present contempt petition. If the

petitioner wishes to challenge the order dated 3rd June, 2016 on the said ground, he is at liberty to file appropriate proceedings in accordance with law.

With the aforesaid liberty, present contempt petition and application are disposed of.

MANMOHAN, J

AUGUST 22, 2016
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