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

+ **W.P.(C) 11120/2016**

REHANA KHATUN

..... Petitioner

Through Mr. Ranjan Mukherjee & Mr. S.
Bhowmick, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through Ms. Ruchi Jain, Advocate along with
Mr. S.S. Sejwal, Law Officer, CRPF.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

% **23.11.2016**

CM No. 43468/2016 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 11120/2016 & CM No. 43467/2016 (stay)

In this writ petition, the petitioner has challenged an order No. S. IV-36/2014-16 Trg-DA-8 (sports), Govt. of India (Ministry of Home Affairs) Directorate General (Training Sports), Central Reserve Police Force, dated 02.11.2016, whereby, the reply of the petitioner to a show cause notice has been rejected and also a movement order dated 04.11.2016, whereby, the petitioner has been de-inducted from the Central Athletic Team of the

Central Reserve Police Force with immediate effect and asked to report to 135 (M) Battalion, Gandhinagar, Gujarat.

It appears that the petitioner joined the CRPF as a Constable (General Duty) through the Sports Quota in the 88 Mahila Battalion at Group Centre, New Delhi. The petitioner was apparently de-inducted from the Central Athletic Team by an order dated 16.04.2014 on the ground that she had not been securing medals and not performing well. The petitioner made representations against her de-induction after which she filed a writ petition being W.P.(C) 3918/2014 in the Court. Pursuant to an order dated 08.08.2016 of this Court in W.P. (C) No. 3918/2014, a show cause notice dated 21.09.2016 was issued to the petitioner.

The petitioner gave a detailed reply to the show cause notice. However, the reply has been rejected by a cryptic non-speaking order impugned in this writ petition, which is set out herein below for convenience.

“Refer to this Directorate letter of even no. Dated 21/09/2016 and your reply dated 26/09/2016.

2. On the above matter, it is to inform that the reply submitted to you on the Show Cause Notice, has been considered and carefully examined in this Directorate. Competent Authority is not satisfied with your reply and rejected being devoid of merit.

3. Therefore, you are hereby de-attached from the Central Athletic Team with direction to report to your parent unit i.e. 135 Bn. CRPF forthwith.”

The impugned order rejecting the reply of the petitioner is a non-speaking order devoid of reasons. The impugned order does not indicate

why the reply has been found not satisfactory. The order cannot be sustained and the same is set aside. However, this order will not prevent the respondent authorities from taking a fresh reasoned decision in accordance with law, after giving the petitioner an opportunity of hearing.

The writ petition and the application are disposed of accordingly. The impugned order and the movement order are set aside. Needless to mention that a fresh movement order may be passed in the event the reply of the petitioner to the show cause notice is rejected.

Dasti.

INDIRA BANERJEE, J

ANIL KUMAR CHAWLA, J

NOVEMBER 23, 2016

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