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

+ W.P.(C) 7641/2017 and C.M. No. 31596/2017

MADHAV CHATURVEDI

..... Petitioner

Through: Mr. Rakesh Mishra, Advocate for
Mr.S.P. Sinha, Advocate.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Kirtiman Singh & Mr. Waize Ali
Noor, Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

18.09.2017

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Though the affidavit has not been filed by the respondents in terms of the last order, Mr. Kirtiman Singh has produced the original record on the basis of which the petitioner stands relieved and repatriated to his parent department. According to the respondents, the petitioner had expressed his inability to work beyond office hours at the shifted premises at Mahipalpur, which was earlier located at the CGO Complex. According to the respondents, the petitioner had himself issued a communication seeking reconsideration of the decision appointing him as AD (ADM.). The record shows that the meeting was held to consider the said communication on 14.08.2017 attended by the DIG (Admn), IG (Admn), ADG (BPR&D) and DG (BPR&D). Consequent whereeto, the petitioner was repatriated.

We are further informed that the petitioner has been granted leave till 13.10.2017 by the respondents subject to the condition that on the expiry of the leave, he shall handover his charge to the AD (Construction) and he shall report to the DG (BSF), vide order dated 06.09.2017. It goes without saying that whether, or not, the said condition should bind the petitioner would be an aspect to be considered by the Tribunal after examining the merits of the petitioner's case.

In these circumstances, we are not inclined to pass any further orders in this petition. The same is, accordingly, disposed of.

We are informed that the next date before the Tribunal is 22.09.2017. The response of the respondents has still not been filed before the Tribunal. The same should positively be filed within a week from today. The Tribunal may, accordingly, fix another date so that the matter is heard and decided before the expiry of the petitioner's leave on 13.10.2017.

VIPIN SANGHI, J

REKHA PALLI, J

SEPTEMBER 18, 2017

B.S. Rohella