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

+ W.P.(C) 2120/2018 & C.M. No.8804/2018 (for stay)

SEP SUNIL KUMAR Petitioner

Through: Mr.Ankur Chhibber, Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Kirtiman Singh, CGSC with
Mr.Waize Ali Noor, Adv. for UOI.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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09.08.2018

1. A two-fold relief has been prayed for by the petitioner in the present petition. The first relief is for quashing and setting aside his posting order dated 03.02.2018 and the second relief is to direct the respondent No.3/Defence Security Corps to consider his application dated 20.02.2017, for a home zone posting or to invalidate him from service on medical grounds.

2. Mr.Ankur Chhibber, learned counsel for the petitioner states that during the pendency of this petition, the respondents have issued an order dated 27.06.2018, cancelling the petitioner's posting order to Cochi. As a result, the first relief stands satisfied. A copy of order dated 27.06.2018 is handed over by learned counsel and is taken on record.

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3. Coming to the second relief, learned counsel for the petitioner states that vide letter dated 25.04.2018, the petitioner was directed to report to a clinic for assessment of his medical status and ascertain the feasibility of invalidating him out from service. A copy of the letter dated 25.04.2018 is also handed over and taken on record.

4. Learned counsel for the respondent states on instructions, that after the petitioner was medically assessed, his request for invalidating him, has been rejected recently. As it is submitted on behalf of the petitioner that the said communication has yet to be received by him, the respondent shall give a copy of the aforesaid order to the petitioner through counsel within one week.

5. The present petition is disposed of along with the pending application, with liberty to seek legal recourse against the rejection of his request for invalidation from service on medical grounds.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 09, 2018
gm/sr