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

+ **W.P.(C) 7155/2018 & C.M. No.27299/2018**

EX. CT. SATWANT KAUR

..... Petitioner

Through: Ms.Pallavi Pratap, Mr.Rahul Arya &
Mr.Farukkh Rasheed, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms.Saroj Bidawat with Mr.Brajesh
Kumar, Advs.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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13.07.2018

1. The petitioner is aggrieved by an order dated 28.12.2017 passed by the Inspector General, CRPF, whereby, the punishment of compulsory retirement from service imposed on her in terms of the order dated 04.09.2015, as upheld by the appellate authority vide order dated 23.05.2018, has been set aside and it has been directed that she shall be reinstated in service with immediate effect and a lesser punishment of 'withholding of increment for 2 years with cumulative effect from the date of her reinstatement' has been imposed.

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2. The impugned order passed by the revisional authority clearly states that the petitioner was free to file a statutory appeal within 30 days from the date of issuance of the said order. However, instead of filing an appeal in the prescribed timeline, the petitioner had submitted an application dated 15.01.2018 to the respondent stating *inter alia* that she did not want to join duty but requested that her full pension be ordered to be released.

3. In view of the fact that the petitioner has a statutory remedy against the impugned order dated 28.12.2017, she cannot be permitted to approach this Court directly seeking judicial review, without first exhausting the said remedy.

4. At this stage, learned counsel for the petitioner seeks leave to withdraw the present petition while reserving the right of the petitioner to file an appeal before the statutory authority as prescribed under law. While filing the appeal, the petitioner shall explain the delay in approaching the appellate authority. In case an appeal is preferred by the petitioner, the same shall be decided by the competent authority by passing a speaking order under written intimation to the petitioner.

5. The petition is disposed of along with the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

JULY 13, 2018

gm

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