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

+ **W.P.(C) 7023/2018 & C.M. No. 26629/2018**

GURUSHARAN SINGH GAUTAM Petitioner
Through: Ms. Saahila Lamba and Mr. T.S. Dagar,
Advocates.

versus

UNION OF INDIA & ORS Respondent
Through: Mr. J.K. Singh, SC with
Ms. Madhulika Agarwal and Mr. Harsh Pandit,
Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **24.08.2018**

1. The petitioner, who is presently working on the post of an Inspector in the RPF seeks quashing of the charge sheet dated 28.3.2018, issued by the respondent No.5 on the ground that the charges levelled against him are based upon a report dated 22.9.2017, issued by the Inspector, Internal Vigilance Group after an inquiry was conducted into the similar allegations levelled against him wherein he was exonerated by the Assistant Security Commissioner.
2. On the last date of hearing, learned counsel for the respondents was directed to obtain clear instructions on the scope of the earlier inquiry conducted on 06.9.2016 and state as to whether the same is the subject matter of the charge sheet impugned by the petitioner herein.

3. Learned counsel for the respondents states on instructions that the subject matter of the impugned charge sheet is not the same as the subject matter of the investigation that was earlier on carried out by the respondents against the petitioner. He clarifies that there was no investigation carried out on the earlier occasion in respect of value of seven batteries allegedly stolen by third parties.

4. In view of the aforesaid submission, learned counsel for the petitioner seeks leave to withdraw the present petition. She however reserves the right of the petitioner to file a fresh petition and raise a grievance with regard to the alleged bias of the Disciplinary Authority against him, in view of the pending cross complaints filed by them against each other.

5. Leave, as prayed for, is granted. The present petition is disposed of as withdrawn along with the pending application.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 24, 2018

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