

\$~33

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

+ W.P.(C) 9467/2018 & C.M.No.36748/20108 (exemption)

SHEORAJ SINGH, EX. ASI Petitioner

Through Mr.Gautam Gupta, Adv.

Versus

UNION OF INDIA & ORS. Respondent

Through Mr.Prasanta Varma, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **10.09.2018**

1. The present petition has been filed by the petitioner assailing an order dated 07.12.2017 passed by the Appellate Authority based in Jaipur, Rajasthan, upholding the order dated 21.07.2017 passed by the Disciplinary Authority based in Ajmer, Rajasthan, dismissing him from service.

2. On a pointed query addressed to learned counsel for the petitioner, as to whether the petitioner has exhausted all the statutory remedies available to him before filing the present petition, including filing of a Revision Petition, learned counsel for the petitioner concedes that the petitioner's Revision Petition is still pending.

3. Even though no averment in this regard has been made in the present petition, learned counsel states on instructions that the

W.P.(C) 9467/2018

page 1 of 3

Revision Petition has been filed by the petitioner before the Revisional Authority, based in Jammu & Kashmir, sometime in May, 2018, but the same has yet to be decided.

4. Learned counsel for the respondents states that on the face of the record itself, the present petition is not maintainable before this Court as neither of the two orders impugned by the petitioner in the present petition, have been passed by the Authorities based in Delhi.

5. The explanation offered by learned counsel for the petitioner that the entire proceedings against his client had commenced on account of a complaint made by his first wife to the authorities at Delhi, cannot be of any assistance, as it is not the complaint that is of any significance but the orders passed by the Disciplinary Authority and Appellate Authority, impugned in this petition. In any case, we decline to entertain the present petition, which is even otherwise premature since the Revision Petition filed by the petitioner has yet to be decided by the respondents.

6. The respondents are directed to ensure that the Revision Petition, if pending, be decided within four weeks under written intimation to the petitioner. If the petitioner is aggrieved by the order passed by the respondent, he shall approach the competent Court vested with the territorial jurisdiction to entertain the same.

7. The petition is dismissed as not maintainable alongwith pending application.

HIMA KOHLI, J

REKHA PALLI, J

SEPTEMBER 10, 2018/sr