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

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Date of Order : March 15, 2018

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W.P.(C) 9154/2017

CAPT. RAJESH AHLAWAT Petitioner
Through: Mr.Sunil Kumar, Sr.Advocate with
Ms.Rohini Prasadm, Advocate

versus

UNION OF INDIA AND ORS. Respondents
Through: Ms.Anjana Gosain, Ms.Rabiya Thakur
and Ms.Shalini Nair, Advocates for R-1
Mr.Lalit Bhasin, Ms.Bhavna Dhami and
Mr.Ajay Pratap Singh, Advocates for R-2
to R-4

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Against impugned order of 18th December, 2015 rejecting petitioner's application for voluntary retirement and order of 30th December, 2016 by which petitioner's resignation has been accepted with rider, a representation (*Annexure P-14 Colly*) was made by petitioner on 24th April, 2017 to second respondent. It is the case of petitioner that the said representation was followed by a reminder (*Annexure P-15 Colly*) on 21st June, 2017. Learned senior counsel for petitioner submits that there is no response to aforesaid representation/reminder.

2. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with direction to second respondent to consider petitioner's representation (*Annexure P-14 Colly*). At this stage, learned senior counsel submits that the case of petitioner is covered by a decision of a Coordinate Bench of this Court in W.P.(C) No.9096/2011 *Capt.R.L.Mathur Vs. UOI & Ors.* decided on April 01, 2013 (*Annexure P-13*) and while relying upon this decision, a concise representation would be made to second respondent within a period of four weeks. Upon receipt of such representation, the second respondent shall pass a speaking order in light of the decision (*Annexure P-13*) within a period of twelve weeks and the fate of the representation be conveyed to petitioner within a week thereafter, so that petitioner may avail of the remedy, as available in law, if need be.

3. With aforesaid directions, this petition is disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

MARCH 15, 2018

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