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

+ W.P.(C) 490/2018 and CM APPL. 2109/2018

YOGESH KUMAR

..... Petitioner

Through: Mr. Alakh Alok Shrivastava and
Mr. Harpreet Kaur, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms. Saroj Bidawat, Advocate with
Mr. Bhatia, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **07.02.2018**

1. On the last date of hearing, learned counsel for the petitioner had sought time to address arguments on the maintainability of the present petition, as we had *prima facie* expressed a view that this Court is not vested with the territorial jurisdiction to entertain the present petition as the petitioner is posted at Jharkhand and his representation dated 20.09.2017 is also addressed to the respondent No.3/Commandant, 112 Btn at Jharkhand.

2. Today, learned counsel for the petitioner submits that the entire service records of the petitioner are maintained with the respondent No.2 at Delhi and the representation dated 20.09.2017 was submitted by the petitioner to his superior officer at Jharkhand since he is posted there, with the expectation that the same shall be forwarded through proper channel to the respondent No.2 for passing appropriate orders.

3. Counsel for the respondents confirms on instructions that the service records of the petitioner are available in Delhi.
4. On inquiring from learned counsel for the petitioner as to whether the said representation has been considered and orders passed thereon, he states no orders have been communicated to the petitioner so far.
5. Having regard to the submissions made by learned counsel for the petitioner that instead of pressing for the relief prayed for in the present petition, the respondents may be directed to consider and decide his representation dated 20.09.2017, the present petition is disposed of along with the pending application at the stage of admission itself, with direction issued to the respondents to consider and decide the petitioner's pending representation dated 20.09.2017, within six weeks from today, under written intimation to him.
6. If the grievance of the petitioner still survives, he shall be entitled to seek legal recourse in accordance with law.

HIMA KOHLI, J

PRATIBHA RANI, J

FEBRUARY 07, 2018

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