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

+ **W.P.(C) 10802/2019**

EX-CONST. KARTAR SINGH Petitioner

Through: Mr.D.K.Sharma, Advocate.

versus

UNION OF INDIA & ORS Respondents

Through: Mr.Ajay Digpaul, CGSC with
Ms.Arti Bansal, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% **11.10.2019**

CM APPL. 44624-44625/2019 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 10802/2019

2. The Court is not inclined to entertain the first prayer of the Petitioner that with his conviction being converted from one punishable under Section 302 IPC to Section 304 Part II IPC, a direction should be issued to the Respondents to reinstate him in service. Having examined Rule 23 A of the Border Security Force Rules, 1969 the Court is not satisfied that in the present case any error was committed by the Respondents in declining the said request of the Petitioner by order dated 10th September, 2018.

3. As regards the second prayer of the Petitioner concerning his retiral dues allowance etc., it is seen that the Petitioner had made a representation in this

regard to the Respondents on 4th February, 2019 along with the requisite documents. This appears not to have been dealt with by the Respondents till date. It is directed that the Respondents shall dispose of the said representation dated 4th February, 2019 (Annexure 'P8') within a period of 8 weeks and communicate the said decision to the Petitioner within a further period of 2 weeks thereafter.

4. If the Petitioner is aggrieved by such decision of the Respondents, it will be open to him to seek appropriate remedies in accordance with law. The petition is disposed of in the above terms.

5. Order *dasti*.

S. MURALIDHAR, J.

TALWANT SINGH, J.

OCTOBER 11, 2019
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