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

+ W.P.(CRL) 854/2019

SHARDA DEVI

..... Petitioner

Through: Mr. Vivek Kr. Srivastava & Mr. Rahul
Jaiswal, Advocates

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms. Sangita Rai, Advocate for R-1 to 3 with
Mr. Vinod Kumar, Law Officer/BSF

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

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25.03.2019

1. The present writ petition has been filed by the petitioner stating *inter alia* that her son Vishal Pandey, who is serving in the Border Security Force (BSF), is missing and hence, directions be issued to the BSF to produce him before the court.

2. Ms. Rai, learned counsel for the respondents/BSF hands over the written instructions received from the Department and draws the attention of the court to para 17 wherein, it has been stated that the petitioner's son is posted at SHQ BSF Abohar along with his unit. She states that in the para wise comments enclosed with the Brief History forwarded by the Department, it has been stated that the petitioner's son was issued a movement order dated 02.02.2019, directing him to report at Kupwara,

Jammu & Kashmir but he has failed to do so. She further states that since the petitioner's son has remained on unauthorized leave for almost 103 days, disciplinary proceedings have been initiated against him for remaining absent without leave, which are under process. However, his salary has been released for the period upto January, 2019. Ld. counsel states that instead of ventilating his grievances through proper channel, Vishal Pandey is resorting to social media to tweet to the Prime Minister, the Home Minister and the media.

3. In view of the submissions made by learned counsel for the respondent, it is clear that the petitioner is aware of her son's whereabouts. We therefore decline to entertain the present petition. If the petitioner's son has any grievance in respect of his posting order or any other grievance relating to his employment, it is for him to take legal recourse in accordance with law.

4. The petition is dismissed.

HIMA KOHLI, J.

VINOD GOEL, J.

MARCH 25, 2019

"shailendra"