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

+ **W.P.(C) 4271/2019**

RAM BACHAN PATEL THROUGH HIS WIFE/PAROKAR
MS.INDRAVATI DEVI Petitioner

Through Mr.Manoj Kumar Mishra &
Mr. Umesh Dubey, Advocates

versus

UNION OF INDIA AND ANR. Respondents

Through Ms.Shiva Lakshmi, CGSC &
Mr. Siddharth Singh, Advocates for
Respondent/UOI

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER
24.04.2019

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CM Appl. No. 19080/2019 (Exemption)

1. Exemption allowed, subject to all just exceptions.

WP(C) No. 4271/2019

2. The Petitioner has approached this Court for directions to the Respondents providing all his service records pertaining to his having proceeded on leave from Army duty for a period 62 days from 19th April, 1986 to 20th June, 1986. The Petitioner states that after this period of leave he arrested in a case under Section 302 IPC on 16th December, 1986 and was convicted in the said criminal case. His appeals thereafter before the High Court and the Supreme Court were dismissed. He is stated to be still in jail.

3. It appears that the Petitioner applied under the Right to Information Act, 2005 to the ASC (Records) (South) on 28th June, 2018. By a reply dated 11th July, 2018 he was informed that his entire service record has been destroyed on 27th August, 2014.

4. The Petitioner has been unable to point out any rule under which Respondents were

obliged to keep the service record or that they had destroyed it contrary to any rule.

5. The Court therefore sees no purpose in entertaining the present petition which seeks a direction to the Respondents to produce the service record which obviously does not exist as on date.

6. The petition is accordingly dismissed.

S. MURALIDHAR, J.

I.S. MEHTA, J.

APRIL 24, 2019

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