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

+ **W.P.(C) 7596/2019**

MUKESH KUMAR AECHARA

..... Petitioner

Through: Mr. Alakh Alok Srivastava, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondent

Through: Mr. Gigi, C. George, Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

17.07.2019

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CM APPL. 31599/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 7596/2019

The petitioner has preferred the present writ petition to assail his dismissal from service on 29.08.2015 on account of his continued unauthorised absence. Looking to the fact that the petitioner was dismissed from service after holding an enquiry and also the fact that the writ petition has been preferred after nearly four years of the said dismissal and, therefore, the petition is barred by delay and laches, we are not inclined

to examine the claim made by the petitioner for quashing the dismissal and directing his reinstatement.

The petitioner has also made a grievance that the respondents had written to the local police when he did not report for duty. The submission of learned counsel for the petitioner is that since the petitioner stands dismissed from service and an FIR was registered, the respondents should be directed to take steps to withdraw their letter dated 08.04.2015 so that he could obtain no objection certificate and clearance certificate from the local police at PS-Kalwad, District – Jaipur (Rajasthan).

Since the petitioner has surfaced after his dismissal, we direct the respondents to take steps to withdraw their communication dated 08.04.2015 to the police. In case, an FIR has been registered, it shall be open to the petitioner to apply for its quashing before the Competent Court.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 17, 2019

N.Khanna