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

+ **W.P.(C) 1461/2017**

EX CT/GD ANJANI KUMAR UPADHYAY Petitioner

Through: Mr. Chirag Jamwal and Mr. Ajay
Upadhyay, Advocates.

Versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Ripu Daman Bhardwaj, CGSC and
Mr. T. P. Singh, Advocates for R-1 to R-
4.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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20.11.2019

C.M. APPL. 34138/2019 (Delay in filing the application for impleadment)

1. For the reasons stated in the application, the delay in filing the application for impleadment is condoned. The application stands disposed of.

C.M. APPL. 34137/2019 (Impleadment)

2. The application is allowed. Amended memo of parties be filed within one week.

W.P.(C) 1461/2017

3. The Petitioner, who was a Constable/GD in the CRPF, was dismissed from service on 26th February, 2010 after a disciplinary enquiry on three specific articles of charge, to which in fact he pleaded guilty during the preliminary enquiry. Thereafter he filed an appeal which came to be dismissed by the Deputy Inspector General of Police, CRPF on 26th May, 2010. Thereafter, a review petition was filed before the Inspector General ('IG'), CRPF which was

again dismissed as being without merit on 31st January, 2011.

4. Having exhausted all the above remedies, the Petitioner filed a further petition on 8th May, 2012 and 19th March, 2013 seeking to reopen the proceedings. This was rejected by the Special Director General, North-Eastern Zone, CRPF by the impugned order dated 26th August, 2013.

5. Without explaining the delay of four years in approaching the Court against the dismissal of his review petition way back on 31st January, 2011, the present petition was filed on 13th February, 2017. Indeed, nowhere in the petition is there is any satisfactory explanation for the inordinate delay of over six years in approaching the Court for relief.

6. The learned counsel for the Petitioner sought to suggest that the Petitioner was under depression and, therefore, could not file the petition. However, there is no medical record produced to substantiate such contention.

7. As noticed hereinbefore, during the pendency of the present petition, the Petitioner has expired.

8. With the Court not being satisfied with the explanation for the inordinate delay in approaching the Court with the present petition, the Court is not inclined to entertain it. The petition is accordingly dismissed.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 20, 2019/*mr*