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

+ **W.P.(C) 3383/2017**

JITENDER KUMAR

..... Petitioner

Through: Mr.Rit Arora, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Ms.Ruchi Jain, Advocate with Asst.
Director (Legal) Dinesh Kumar.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

08.01.2019

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1. Pursuant to the order dated 14th August 2018 passed by this Court the Medical Board undertook the medical examination of the Petitioner on 31st August 2018. The Medical Board has submitted a report dated 19th September 2018 in which *inter alia* it is confirmed as under:

“3. The BOO has examined the candidate and the findings are as follows:

This 33 Yrs GREF personal suffered from a left hemiparesis in Aug 2014 during leave when he was serving in Arunachal Pradesh.

He has since recovered well with completely functional independence and can perform non exertional duties commensurate with GREF-II status. In this review he has been detected to have marginally deranged blood sugar status without any target organ damage, needing only periodic

monitoring and dietary discretion.

His functional status is commensurate with P2 for CVA (GREF-II) & P2(T-24) for Impaired Glucose Tolerance with P2(T-24) equiv GREF-II (T-24).”

2. Learned counsel for the Respondents on instructions states that as far as the request of the Petitioner that he should be relieved from service is concerned, it was communicated to the Petitioner way back on 21st December 2016 that there was an outstanding of Rs.1,20,000/- which the Petitioner is required to deposit in the public fund of the unit in advance for his application to be forwarded. It is submitted that even now if the Petitioner is prepared to deposit the said arrears his request for discharge will be considered.

3. The Petitioner who is present in person instructed his counsel to say that in his present condition it may be difficult for him to deposit the said sum but he is agreeable to the said sum being withheld from his monetary benefits which he would be entitled at the time of his discharge.

4. In that view of the matter, the Respondents are directed to now process the application of the Petitioner seeking discharge from service and pass necessary orders thereon within a period of 4 weeks. This is subject to the Petitioner reporting at BRO Headquarters in Delhi on 14th January 2019. The relevant records of the Petitioner which are stated to be at the Headquarters of his unit at Jammu will be called for by the Respondents to Delhi for processing his application for discharge. If the Petitioner is aggrieved by the order passed on his discharge application, it will be open to

him to seek appropriate remedies in accordance with law.

5. The petition is disposed of in the above terms.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 08, 2019
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