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17.02.2020.
d.p.

W.P.A. 206 of 2020

**Indrajit Barman
-versus
Union of India & Ors.**

**Mr. Subhasish Misra.
...For the Petitioner.**

**Mr. Samir Paul.
...For the UOI.**

Affidavit-of-service filed in Court today be taken on record.

The petitioner was a member of the Border Security Force. He was dismissed from service. He challenged an order of dismissal by filing a writ petition which stood dismissed for default on 10th June, 2013. An application for recall was filed which was dismissed by an order dated 28th July, 2017.

The petitioner challenged the order of dismissal in the recalling application by filing an appeal being MAT 21 of 2018 which was disposed of by the Court on 14th November, 2018 whereby the Hon'ble Appeal Court was of the opinion that the appellate order furnishes the appellant a fresh cause of action to move the appropriate forum for redress, i.e a revision, if available. The petitioner was given liberty to challenge the appellate order dated 15th January, 2013 before the appropriate forum in accordance with law.

Pursuant to the leave granted to the Court, the petitioner preferred an application for revision. Though the application for revision which is annexed to the writ

petition is not dated, however, the petitioner submits that the same was sent through speed post on 27th December, 2018. The track report annexed to the writ petition shows that the letter was received by the office of the respondent authorities on 31st December, 2018.

The grievance of the petitioner is that the same has not been considered till date.

The petitioner has filed a further representation through his learned advocate on 2nd September, 2019. The said letter was also sent through post.

In view of the fact that the revision preferred by the petitioner has been kept pending for a considerable period of time, no useful purpose will be served by keeping the writ petition pending.

The same is accordingly, disposed of by directing the respondent no. 2 being the Director General, Border Security Force to consider and dispose of the revision preferred by the petitioner strictly in accordance with law, within a period of five weeks from the date of communication of a copy of this order and to pass a reasoned order and communicate the same to the petitioner within a fortnight thereafter.

It is made clear, that this court has not gone into the merits of the case and all points are left open to be decided by the said respondent at the time of consideration of the application of the petitioner.

W.P.A. 206 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)