

CWP-11183-2020

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-11183-2020

Date of Decision: 04.08.2020

Mange Ram

... Petitioner

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Sandeep Singh Ghangas, Advocate,
for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Present writ petition has been filed under Articles 226/227 of the Constitution for issuance of a writ in the nature of mandamus directing the respondents to withdraw the letter dated 02.03.2020 (Annexure P-7), whereby Rahul Kumar, son of the petitioner, was declared as a deserter.

Admittedly, Rahul Kumar, son of petitioner, was appointed as yantrik Indian Coast Guard and was posted as Pardhan Yantri(Er.) at ICGS C-417(ship), Diglipur, Andaman and Nicobar. It is not disputed that Rahul Kumar has been declared as a deserter.

However, it is the case of the petitioner, father of Rahul Kumar, that his son is suffering from mental disorder and is under treatment at different hospitals. There is a communication dated 02.03.2020 (Annexure P-7) whereby the petitioner has been asked to persuade Rahul Kumar to return to his duties forthwith, if his whereabouts are known to the petitioner.

Notice of motion to respondents No.1 to 5 only.

CWP-11183-2020

On the asking of this Court, Mr. B.S.Kanwar, Advocate, accepts notice on behalf of respondents No.1 to 5.

At this stage, learned counsel for the petitioner submits that the petitioner being father of Rahul Kumar is ready to hand over his son, though not well, to the authorities within 15 days from today.

Learned counsel for respondents No.1 to 5 states that in case Rahul Kumar surrendered before the authorities within the aforesaid stipulated period, he would be taken to the hospital for medical check-up and if he is found to be suffering from any ailment, he would be initially treated at hospital and thereafter further proceedings would be carried out.

In view of the statement made by the learned counsel for the petitioner as well as the learned counsel for respondents No.1 to 5, no further orders are called for in the present petition.

However, the parties shall abide by the undertaking given before this Court.

Disposed of.

04.08.2020

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Note:	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No