

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

% **Date of decision: 12th July, 2021.**

+ **W.P.(C) 6364/2021**

PARDEEP SINGH CHIB **Petitioner**

Through: Mr. Shree Prakash Sinha, Adv.

versus

**DIRECTOR GENERAL, SASHATRA SEEMA BAL
& ANR.**

..... **Respondents**

Through: Nidhi Raman, CGSC, With Mr.
Zubin Singh Adv. Mr. Amit GP For
Respondent no. 1 TO 2/ UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

HON'BLE MR. JUSTICE AMIT BANSAL

[VIA VIDEO CONFERENCING]

RAJIV SAHAI ENDLAW, J.

1. The petitioner, who was a Constable (General Duty) (CT/GD) in the respondent Sashastra Seema Bal (SSB) and who was dismissed from service as far back as on 23rd May, 2013 and whose appeal thereagainst also was dismissed on 16th September, 2013, has filed this petition, which has come up today for the first time, impugning the order of his dismissal and seeking his reinstatement in service. Alternatively, it is contended that a representation dated 17th December, 2020 made by the petitioner to the respondents SSB for his reinstatement and on which no decision has been taken, be directed to be decided.

2. The only argument of the counsel for the petitioner is, that from the incident from which the disciplinary proceedings against the petitioner emanated, disciplinary proceedings were also taken against CT/GD Vinod

Singh, who was also vide the same orders dated 23rd May, 2013 and 16th September, 2013 meted out the same punishment i.e. of dismissal from service; the said CT/GD Vinod Singh filed W.P.(C) No.7369/2013 impugning his dismissal from service and which was allowed vide judgment dated 1st October, 2015 and the said CT/GD Vinod Singh directed to be reinstated with continuity of service and all consequential benefits. Parity with the said CT/GD Vinod Singh is sought, contending that in the judgment allowing writ petition of CT/GD Vinod Singh, mention is made of the petitioner also.

3. Though ordinarily a case for parity would have been made out but the fact remains that unlike CT/GD Vinod Singh, who immediately after the orders dated 23rd May, 2013 and 16th September, 2013 of dismissal took legal remedies thereagainst, the petitioner was satisfied with the order of his dismissal and did not challenge the same. Nearly eight years have since elapsed. Moreover the petitioner, even after CT/GD Vinod Singh was reinstated in service on 12th November, 2015, has allowed nearly six years to elapse. Once it is found that the petitioner had accepted the order of his dismissal and changed the course of his life and taken up another vocation, merely because another similarly situated as the petitioner has been ordered to be reinstated, would not entitle the petitioner to the same relief. Reference may be made to the dicta of the Supreme Court in ***Delhi Administration Vs. Gurdip Singh Uban*** (1999) 7 SCC 44 and ***Delhi Administration Vs. Gurdip Singh Uban*** (2000) 7 SCC 296 in relation to land acquisition matters, where it has been held that even if acquisition vide the same notification is quashed for one, the same would not amount to quashing of the acquisition notification qua others who had not objected to

the acquisition and/or who had not taken legal remedies thereagainst.

4. No ground to entertain the writ petition is made out.

5. Dismissed.

RAJIV SAHAI ENDLAW, J

AMIT BANSAL, J

JULY 12, 2021

‘pp’..

