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

+ W.P.(C) 13905/2021

EX CONST GD ARUP DAS MOHANTA Petitioner

Through Mr.Puru Mudgal, Advocate.

versus

UNION OF INDIA & ORS. Respondents

**Through Mr.Ruchir Mishra and Mr.Mukesh
Kumar Tiwari, Advocates.**

% Date of Decision: 07th December, 2021.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

MANMOHAN, J: (Oral)

C.M.No.43886/2021

Exemption allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

W.P.(C) No.13905/2021

1. Present writ petition has been filed challenging the convening order and charge-sheet dated 11th March 2021 and the sentencing order dated 20th March 2021 issued by Respondent No. 3. Petitioner also seeks directions to the Respondents to reinstate the Petitioner in service w.e.f. 20th March 2021 and release his arrears of pay and allowances till date.
2. Learned counsel for the Petitioner states that subsequent to the order dated 17th March, 2021 passed by this Court in W.P.(C) No.3507/2021, whereby this Court granted liberty to the Petitioner to withdraw the petition

and raise all issues before the SSFC, the Petitioner had preferred a statutory petition challenging the sentence dated 20th March, 2021 under Section 117 of the BSF Act read with Rule 167 (2) of the BSF Rules, but the same has not been disposed of till date.

3. Keeping in view the aforesaid, the present writ petition is disposed of with a direction to the Respondents to decide the Petitioner's statutory petition under Section 117 of the BSF Act read with Rule 167(2) of the BSF Rules by way of a reasoned order in accordance with law within three weeks. In the event, the Petitioner is aggrieved by the said decision, he shall be at liberty to file appropriate proceedings in accordance with law. The rights and contentions of all the parties are left open.

MANMOHAN, J

NAVIN CHAWLA, J

**DECEMBER 07, 2021
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