

(In virtual Court)

CWP No.279 of 2022 (O&M)

Date of Decision: 10.01.2022

DHOOM SINGH

.....Petitioner

Versus

UNION OF INDIA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Rajeev Anand, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of Certiorari for quashing of impugned notice dated 17.12.2021 (Annexure P-7), which has been issued for retirement of the petitioner on account of physical unfitness under Rule 25 of BSF Rules, 1969 without following the procedure envisaged under the said rule and also without complying with the instructions issued by the Government of India for Rehabilitation of disabled persons, with certain other prayers made in the petition.

Notice of motion.

Mr. Indresh Goel, Advocate, accepts notice on behalf of the respondents and has submitted that the petitioner has approached the Court at the stage of notice. The petitioner has been referred to specific Medical Review Board by the Commandant under the statutory rules. Further action will be taken only in accordance with the recommendations of the Medical Review Board. Hence, the present petition is premature.

In view of the aforesaid statement made by the counsel for the respondents, the counsel for the petitioner seeks permission to withdraw the present petition, at this stage, with liberty to file afresh, in case any adverse order is passed against the petitioner.

Dismissed as withdrawn with liberty aforesaid.

(RAJBIR SEHRAWAT)
JUDGE

10.01.2022
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No