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

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Date of decision: 07.10.2022

+ W.P.(C) 14270/2022

CHAUDHARY HITESH KUMAR Petitioner

Through: Mr.Vinod Kumar, Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Mukul Singh, CGSC with Ms.Ira Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. Present petition has been filed seeking directions to the respondents to reinstate the petitioner in service with all consequential benefits including arrears of pay, pay fixation, seniority, etc. and his suspension, if any, be treated as spent duty for all purposes. Further seeks quashing of the impugned order dated 24.07.2021 of removal from service.
2. Notice issued.
3. Mr.Farman Ali, learned Senior Panel Counsel appears on advance notice and submits that the present petition is not maintainable as the departmental remedies (i.e. appeal and revision) are still available to the petitioner which he has not availed.



4. Accordingly, we hereby dispose of the present petition by giving liberty to the petitioner to file appeal against the impugned order dated 24.07.2021 within two weeks from today and on receipt of the same, the respondents are directed to take the decision therein within the statutory period. The said decision shall be communicated to the petitioner in writing within one week thereafter.
5. Needless to state that if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before the appropriate forum.
6. In view of aforesaid directions, petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 07, 2022/ab