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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Date of decision: 20th March, 2023*

+ W.P.(C) 3464/2023 & CM APPL. 13412/2023

ANURAG SAXENA

..... Petitioner

Through: Ms. Saahila Lamba, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Vineet Dhanda, CGSC with Mr. Hussain Taqvi, Mr. Shubham Prasad, Ms. Shruti Gupta, Mr. M. Adil Taqvi & Ms. Gurleen Kaur, Advocates for UOI.

Mr. M.R. Panda , 2IC (Confd), FHQ, BSF & Mr. Hemendra Singh, DC (Law), BSF.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. *Vide* the present petition, the petitioner is seeking following reliefs:

“a.) Issue a writ of certiorari quashing show cause notice dated 06.02.2023 issued by the respondents under Rule 21 of Border Security Force Rules, 1969 and Rule 21(2) of CCS (Conduct) Rules, 1964.”

2. Learned counsel on behalf of the petitioner submits that the Paragraph 7 of the Show-Cause Notice dated 06.02.2023 mentions that the copy of the Court of Inquiry is enclosed, however, the same has not been received by the petitioner.

3. Learned counsel, appearing on advance notice for respondents on instructions from Mr. M.R. Panda, Second-in-Command (Confidential), Border Security Force, submits that the copy of the Court of Inquiry shall be furnished to the petitioner within one week from today.
4. On receipt of the copy of the Court of Inquiry, further two weeks' time are granted to the petitioner to make a reply to the Show-Cause Notice dated 06.02.2023.
5. Further, on receipt of the reply of the petitioner, the respondents shall at liberty to decide the same within the statutory period.
6. The decision, so taken, shall be communicated to the petitioner in writing within one week thereafter.
7. Accordingly, the present petition along with pending application is disposed of.
8. 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.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MARCH 20, 2023
S.Sharma