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

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***Date of decision: 16.01.2023***

+ W.P.(C) 4379/2022

**MAHABIR SINGH**

..... Petitioner

Through: Mr.M.K. Gaur, Mr.K.K.Prasad &  
Mr.Gorav Shrawat, Advs.

versus

**UNION OF INDIA & ORS**

..... Respondents

Through: Mr.Ranvir Singh, SPC for UOI.

**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, petitioner prays as under:

- a) *To direct the respondents to place the relevant records pertaining to the present writ petition;*
- b) *To quash and set aside the impugned orders dated 01.02.2022 of the respondents;*
- c) *To direct the respondents to allow the petitioner to resume in services either as constable or any other alternative post for which found fit as per the relevant rules and instructions with all other consequential benefits.*

2. Initially, petitioner filed a representation dated 17.08.2021 requesting the respondents to accommodate the petitioner for alternative post. Since the said was not decided, the petitioner filed a writ petition being W.P.(C)

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9269/2021 and the same was disposed of vide order dated 10.09.2021 by directing the respondents to decide the petitioner's representation dated 17.08.2021 by a reasoned order within twelve weeks. It was clarified in the said order that if the petitioner wants to give a supplementary representation, he may do so by sending the same to the Director General, RPF. Accordingly, the petitioner made additional representation dated 20.09.2021 and the same was decided vide order dated 01.02.2022.

3. Counsel appearing on behalf of the respondents submits that in order dated 01.02.2022, there is not a whisper regarding the petitioner being accommodated for alternative post. On perusal of the same, we find that there is no opinion of the respondents, therefore, we hereby dispose of the present petition by directing the respondents DG, RPF to specifically pass an order as to why the petitioner cannot be accommodated for alternative post as per the policy within two weeks.

4. Needless to say that if the petitioner is still aggrieved, he may challenge the same before the appropriate forum.

**(SURESH KUMAR KAIT)**  
**JUDGE**

**(NEENA BANSAL KRISHNA)**  
**JUDGE**

**JANUARY 16, 2023/ab**