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

% ***Date of decision: May 2, 2023***

+ **W.P.(C) 4830/2023 & CM APPL. 18675/2023**

**SUNIL KUMAR MANN**

**..... Petitioner**

Through: **Mr. Alok Kumar, Ms. Rachana Dalal  
and Mr. Aman Mudgal, Advocates**

**versus**

**UNION OF INDIA & ORS.**

**.... Respondents**

Through: **Mr. N.K. Aggarwal, Senior Panel  
Counsel with Ms. Sanjana Antil, Ms.  
Nupur Sachdeva, Advocates and Mr.  
Hemendra Singh, DC (Law), BSF**

**CORAM:**

**HON'BLE MR. JUSTICE SURESH KUMAR KAIT**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Vide the present petition, petitioner is seeking quashing of the reply dated 01.06.2022 as well as of dismissal order dated 14.09.2010.
2. Petitioner is further seeking directions to respondents to re-instate him with all consequential benefits with 12 % interest and to produce the entire service record especially charge-sheet, inquiry report and dismissal order dated 14.09.2010.
3. The present petition is a second round of litigation. Earlier, the petitioner filed W.P.(C) 16892/2022 which was dismissed as withdrawn vide order dated 12.12.2022 with liberty to file a fresh petition on better grounds.

4. In the present petition, the petitioner has challenged the dismissal order dated 14.09.2010 and pursuant to directions passed by this Court vide order dated 18.04.2023, the respondents have produced dismissal order dated 14.09.2010 along with other documents.

5. On perusal of the dismissal order dated 14.09.2010 and other documents, we find that the dismissal order dated 14.09.2010 was even duly served upon the petitioner. It is also admitted and borne out from the various communications sent by none other than petitioner himself. Thus, the submission of learned counsel for petitioner that the petitioner had no knowledge about the aforesaid 'dismissal order' cannot be believed.

6. At this stage, learned counsel for petitioner submits that the petitioner would not challenge the dismissal order dated 14.09.2010. He, however, seeks permission to withdraw the present petition with liberty to file a representation before the respondents for grant of relief(s) for which petitioner might be, otherwise, entitled to.

7. Needless to say that if the petitioner is entitled to any such relief, he does not require permission of this Court.

8. In view of above, the present petition is dismissed.

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

**(MANOJ JAIN)**  
**JUDGE**

**MAY 2, 2023/rk**

*W.P.(C) 4830/2023*

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