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

% **Date of decision: 22nd May, 2023**

+ **W.P.(C) 6908/2023**

MAJ PARUL PARGAL (RETD) Petitioner

Through: Mr. Ajit Kakkar, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Jaswinder Singh and Mr. Gurjas Singh Narula, Advocates with Sh. 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) To pass Writ in the nature of Certiorari to set aside the result: Declared on 06.04.2023 For The Post Of Veterinary Assistant Surgeon (Assistant Commandant) Group-A, Gazetted (Combatised) (Non-Ministerial);*
(b) Issue a writ of mandamus or any appropriate writ, order of direction directing respondents to declare result for ex-serviceman candidates with separate cut off at par with other reserved category candidates;
(c) Issue a writ of mandamus or any appropriate writ, order of direction to allow the petitioner to participate in further recruitment process if petitioner succeeds in the present petition.”

2. Learned counsel for the petitioner submits that for the aforesaid reliefs, the petitioner has already made the Representation dated 28.03.2023 to the respondent No. 2/Director General, Border Security Force, however, till date, the said Representation dated 28.03.2023 of the petitioner has not yet been decided by the respondent No. 2/Director General, Border Security Force.

3. We hereby dispose of the present petition directing the respondent No.2/ Director General, Border Security Force to decide the said Representation dated 28.03.2023 of the petitioner within four weeks from today.

4. The decision, so taken, shall be communicated to the petitioner with a reasoned order within one week thereafter.

5. We hereby make it clear that if the representation is decided by the respondent No. 2/ Director General, Border Security Force in favour of the petitioner, the respondents shall allow the petitioner to join the selection process.

6. It is further made clear that till the decision is taken on the representation of the petitioner, the ex-servicemen vacancy, if not filled by the same category, then one vacancy shall not be filled up by the other category.

7. Accordingly, the present petition is disposed of.

8. Needless to say if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before the appropriate forum.

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9. In view of the order passed in the Writ Petition bearing No. W.P.(C) 6908/2023, the present application is also disposed of.

**(SURESH KUMAR KAIT)
JUDGE**

**(NEENA BANSAL KRISHNA)
JUDGE**

MAY 22, 2023/va

