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

% ***Date of decision: 24th May, 2023***

+ **W.P.(C) 7220/2023 & CM APPL. 28130/2023**

PUSHPENDER PRATAP SINGH Petitioner

Through: Mr. Raghunath Pathak, Ms. Shweta
Priya, Mr. Aaditya Kadian and Mr.
Kailash Kumar, Advocates

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Vardhman Kaushik, Senior Panel
Counsel with Mr. Hardik Bedi, GP
and Mr. Ajay Kanojiya, Advocate for
UOI

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

JUDGMENT (oral)

1. Vide this petition, petitioner is seeking quashing/setting aside of the Movement Order No.7881 dated 03.04.2023 passed by the respondent No.4; directions to respondent No.3 to consider his representation dated 03.04.2023 and allow him at-least 1 month's earned leave and treat the absence period of the petitioner as 'On Duty' and allow the petitioner to continue his Advance Constabulary Course (ACC) in the next session; directions to the respondent No.2 to conduct departmental inquiry; and directions to respondent No.3 to decide as to why the different authorities

issued movement order on different dates.

2. Learned counsel for respondents, who is appearing on advance notice, submits that petitioner had made application dated 26.03.2023 seeking one month's leave w.e.f. 01.04.2023 and the cause of said application has become infructuous.

3. Learned counsel for petitioner submits that on 01.04.2023, he made a request to meet Commandant, however, his request was not acceded to.

4. Case of petitioner is that his father is a Cancer patient and he is at last stage of said disease, therefore, he is unable to join the Advance Constabulary Course in present session. Petitioner requested to the respondents that he be allowed to join Advance Constabulary Course in the next session.

5. Accordingly, petitioner is at liberty file a representation to this effect before respondents and on receipt of same, the respondents are directed to consider and decide the same within two weeks keeping in view the medical condition of his father.

6. With the aforesaid directions, the present petition is disposed of. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MAY 24, 2023/rk

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