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

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Judgment delivered on: 27.07.2023

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W.P. (C) 9879/2023 & CM. APPL. 37974/2023

SAHIL GUPTA (AC)

.... PETITIONER

Versus

UNION OF INDIA & ANR

.... RESPONDENTS

Advocates who appeared in this case:

For the Petitioner: Mr. Abhay Kumar Bhargava, Mr. Rajender Kumar and Mr. Satyarath Sinha, Advocates.

For the Respondent: Mr. Vikrant N. Goyal, Mr. Yash Tandon, Ms. Ayushi Garg and Mr. Rohit Gupta, Advocates.

CORAM:-**HON'BLE MR JUSTICE SANJEEV SACHDEVA****HON'BLE MR. JUSTICE MANOJ JAIN****JUDGMENT****SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner seeks quashing of order dated 05.07.2023 whereby, petitioner has been directed to participate in the departmental inquiry pending against him. Further, petitioner seeks stay of disciplinary inquiry proceedings till he attains Shape-1 (S-1) medical category.



2. Petitioner has been diagnosed with mild depressive disorder and has been categorized as S2 (T-24).

3. Keeping in view, the facts and circumstances of the case, we are not inclined to quash or grant any stay of the inquiry. However, we dispose of this petition directing the respondents to take into account the medical condition of the petitioner and proceed with the inquiry only in accordance with rules and the standing order No. 04/2008 dated 15.12.2008.

4. Order dasti under the signatures of Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

JULY 27, 2023

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