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* IN THE HIGH COURT OF DELHI AT NEW DELHI
Judgment delivered on: 27.09.2023

+ **W.P.(C) 12115/2023 & CM. APPL. 47601/2023**

SGT NIKESH KUMAR Petitioner

Versus

UNION OF INDIA AND ORS. Respondents

Advocates who appeared in this case:

For the Petitioner:	Mr. Pradeep Shukla, Mr. Ajeet Yadav, Mr. Madan Mohan Gaur and Mr. Suraj Sain, Advocates
For the Respondents:	Mr. Neeraj, Senior Panel Counsel with Ms. Vedansh Anand, Mr. Sahaj and Mr. Rudra, Advocates for UOI

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner impugns order dated 08.08.2023, whereby the Original Application of the petitioner seeking a 'No Objection Certificate' to enable him to take up civil employment has been rejected.

2. Learned counsel for respondents submits that keeping in view the peculiar facts and circumstances, the medical condition of the petitioner as also the tenure of service left and the nature of civil employment being secured, the competent authority has acceded to the request of the petitioner and issued a discharge order dated 26.09.2023 with a direction that the petitioner be discharged with effect from 26.09.2023. Discharge order



dated 26.09.2023 has been produced and the same is taken on record.

3. Learned counsel for petitioner submits that grievance of the petitioner has been completely redressed. He accordingly prays that petition be disposed of in terms of the discharge order dated 26.09.2023. He further submits that petitioner has to report for joining duty on 30.09.2023 and prays that in view of ensuing holidays, he may be permitted to join his civil post and complete the process of discharge immediately thereafter.

4. In view of the above, the petition is disposed of. Petitioner shall stand discharged from the service with effect from 26.09.2023. Petitioner is permitted to report for joining at the place of civil employment on 30.09.2023 and thereafter, report back to the respondents for completing all the formalities of his discharge.

5. This Court places on record appreciation for the gesture shown by the respondents, their officers and the counsel in taking a sympathetic view in the peculiar facts and circumstances of the case. It is clarified that since the respondents have taken into account the peculiar facts and circumstances of the case, this order shall not be treated as a precedent.

6. *Dasti* under signature of the Court Master.

SANJEEV SACHDEVA, J

SEPTEMBER 27, 2023/NA

MANOJ JAIN, J