



\$~62

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

Judgment delivered on: 22.11.2023

+ W.P.(C) 15087/2023 & CM APPL. 60283-84/2023

DEVENDRA PAL SINGH

..... Petitioner

versus

UNION OF INDIA & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Chetan Roy and Mr. Ujjwal Kumar, Advocates.

For the Respondents: Mr. Soval Kumar Singh and Mr. Parth Sindwani,
Advocates for R-1 to R-4
Mr. Kamlesh Ravi, Deputy JAG)**CORAM:****HON'BLE MR. JUSTICE SANJEEV SACHDEVA****HON'BLE MR. JUSTICE MANOJ JAIN****JUDGMENT****SANJEEV SACHDEVA, J. (ORAL)**

1. Learned counsel for the petitioner submits that though response to the show cause notice has been filed, however, petitioner could not file a detailed response in the absence of the respondent providing the



complete record of Court of Inquiry conducted against the petitioner which is referred to in the impugned show cause notice dated 11.08.2023.

2. Learned counsel for the respondent under instructions submits that the statement of witnesses recorded by the Court of Inquiry have already been provided to the petitioner. He submits that the complete set of Court of Inquiry proceedings along with finding and opinion are normally not provided, however, without prejudice to the rights and contentions in the case of the petitioner, they shall provide a complete set of the Court of Inquiry proceedings along with finding and opinion provided to the petitioner within two days. The statement is taken on record.

3. Learned counsel for the petitioner prays for leave to withdraw the petition, however, prays that the petitioner be granted some reasonable time to file supplementary response to the show cause notice after receipt of the court of inquiry proceedings.

4. In view of the above, respondents are directed to provide the complete record of the Court of Inquiry to the petitioner within two days. On receipt of the same, petitioner, if advised, may file a supplementary response to the show cause notice within 10 days from the receipt of the record of the Court of Inquiry. Thereafter, respondent would be at liberty to adjudicate on the show cause notice in accordance with law.

5. The petition is dismissed as withdrawn. It would be open to the



petitioner to avail of such remedy as may be available in law in case the petitioner is aggrieved by any order passed on the show cause notice.

6. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

NOVEMBER 22, 2023
‘rs’