

**2024:PHHC:057001**

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

120

**CWP-9494-2024**  
**Date of decision: 26.04.2024**

**MANMOHAN SUNDRIYAL**

**....PETITIONER**

**Vs.**

**UNION OF INDIA AND OTHERS**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:     Mr. Nikhil Anand, Advocate  
                  for the petitioner.

                  Mr. Ashish Chaudhary, Senior Panel Counsel  
                  for respondent Nos. 1 to 5-Union of India.

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**JAGMOHAN BANSAL, J (ORAL)**

1.           The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 02.04.2024 (Annexure P-4) whereby petitioner has been invalidated w.e.f. 30.04.2024 on the ground of physical unfitness.
2.           The respondent by impugned order dated 02.04.2024 has invalidated petitioner from service in terms of Rule 25 of BSF Rules, 1969. The said order would come into force w.e.f. 30.04.2024. The petitioner has been granted opportunity to make representation to higher authorities within 15 days. The order was passed on 02.04.2024 and petitioner made representation on 13.04.2024 (Annexure P-5). The said representation is still pending.
3.           Notice of motion.
4.           Mr. Ashish Chaudhary, Senior Panel Counsel accepts notice on behalf of respondents-Union of India and submits that representation of the petitioner would be adjudicated on or before 30.04.2024.

5.           On being asked reason of delay of adjudication of representation, he agreed that in case representation of petitioner is rejected, the order of invalidation would come into force w.e.f. 07.05.2024.
6.           Disposed of in above terms.

26.04.2024  
manoj

[JAGMOHAN BANSAL]  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |