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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1461/2024 & CM APPL. 6036/2024**
PRADHAN YANTRIK RAKESH KUMAR Petitioner
Through: **Ms. Chhavi Yadav and Mr. Ajit Kakkar, Advs.**

versus

UNION OF INDIA AND ORS. Respondents
Through: **Mr. Abhishek Saket, Sr. Panel Counsel with Mr. Jitendra Kumar Tripathi, G.P. and Ms. Sanna, Adv. for UOI**

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
01.02.2024

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1. This petition has been filed by the petitioner with the following prayers:-

“a) To pass a writ of Certiorari to set show cause Notice bearing No.NK/0329/Sarthak (ix) dated 23.10.2023.
b) To grant such other relief appropriate to the facts and circumstances of the case as deemed fit and proper.”

2. The primary challenge in this petition is to the show cause notice dated October 23, 2023, paragraph 3 thereof reads as under:-

“3. THEREFORE, I hereby afford you an opportunity to show cause as to why action for termination of your service under Section 11 of the Coast Guard Act, 1978, read with Rule 23 of the Coast Guard (General) Rules, 1986, should not be taken against you for the above mentioned serious misconduct which has lowered the image of service in the eyes of public.”



3. It is a conceded position that the petitioner has replied to the show cause notice and the same is pending consideration with the respondents.

4. If that be so, the proceedings being at the show cause stage, the present petition is premature / not maintainable. Accordingly, we dismiss this petition along with pending application. Liberty shall be with the petitioner to seek such remedy, as available in law, if any order is passed to his prejudice.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 1, 2024/ds