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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2022/2022

PRAVEEN KUMAR

.....Petitioner

Through: Mr.Amol Chaturvedi, Adv.

Versus

UNION OF INDIA & ANR.

.....Respondent

Through: Mr.Bhagvan Swarup Shukla, CGSC
with Ms.Priya Dwivedi, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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20.08.2024

CM APPL. 47381/2024 –Correction

1. This is an application filed by the petitioner seeking correction of para 2 and 3 of the order dated 07.08.2024.
2. Learned counsel for the petitioner submits that on 07.08.2024 when he had sought leave to withdraw the writ petition with liberty to assail the order dated 08.12.2023 passed against the petitioner, he did not have appropriate instructions and had consequently, inadvertently submitted before this Court that the petitioner had been dismissed from service, whereas the petitioner had in fact been removed and not dismissed from service. He, therefore, prays that para 2 and 3 of the order dated 07.08.2024, which records that the petitioner stands



dismissed from service be corrected.

3. Having perused the respondents' order dated 08.12.2023, a copy whereof has been filed alongwith the application, we find that the petitioner has not been dismissed from service, but has been removed from service. We, therefore, allow the present application by correcting para 2 and 3 of the order dated 07.08.2024, which will now read as under:-

"2. Learned counsel for the petitioner submits that the present petition was filed assailing the directions issued by the respondents for convening of 'Record of Evidence (ROE)' as also an additional Court of Inquiry (C of I). However, during the pendency of the present petition, the disciplinary proceedings against the petitioner stand concluded and consequently, he stands removed from service. He, therefore, prays that the petitioner be permitted to withdraw the present writ petition with liberty to assail the removal order as per law.

3. Even though, despite advance service, none appears on behalf of the respondents, having considered the submissions of learned counsel for the petitioner, we find no impediment in permitting the petitioner to withdraw the present writ petition. The application is, accordingly, allowed and the writ petition is dismissed as withdrawn with liberty to the petitioner to assail his removal order as per law."

4. This order be read in conjunction with the order dated 07.08.2024.
5. The application stands disposed of in the aforesaid terms.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 20, 2024

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