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

+ **W.P.(C) 2577/2024 & CM APPL. 10592/2024**

DHANNA RAM RANWA Petitioner

Through: **Mr. Raj Singh Phogat, Adv.**

versus

UNION OF INDIA & ORS. Respondents

Through: **Mr. Vikrant N. Goyal, Mr. Nitin Chandra, Mr. Ahwan Mohapatra and Mr. Rishav Dubey, Adv.**

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

21.02.2024

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CM APPL. 10592/2024

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 2577/2024

1. Though this petition has been filed by the petitioner with the following prayers, Mr. Raj Singh Phogat, learned counsel appearing for the petitioner submits that in the absence of the record of the proceedings relatable to the dismissal, he could not annex the same with the petition. He prays the respondents may be directed to give the same to the petitioner to enable him file a fresh petition:

“In view of the aforesaid facts and circumstances the Hon'ble Court may therefore, graciously be pleased to:-



“(a) Issue a Writ of Certiorari or Mandamus to quash the "Dismissal from Service" order of the Petitioner issued vide Genform GX.NO. CG/971/N dated 20.06.2023 as the same is issued in violation of the of procedure as prescribed under the Coast Guard Act, 1978, the Coast Guard (Discipline) Rules, 1983 and the Constitution of India, and consequently order for the reinstatement of the Petitioner in Services of the Respondents with full pay benefits; and

(b) Issue a Writ of Certiorari or Mandamus to direct the Respondents for supplying Record of Proceedings of the dismissal of the Petitioner viz. "the offence report under Rule 18 and Record of Evidence / Abstract of Evidence of the Petitioner as recorded under Rule 23/24 and Punishment Approval Form as Set out in Appendix III B" recorded under the Coast Guard (Discipline) Rules, 1983 as the same is mandated to be provided to the Petitioner under the Rule 23 / 24 of the Coast Guard (Discipline) Rules, 1983 read with the CGO 2/93 of the Coast Guard and Petitioner's right of natural justice under the Constitution of India, so that Petitioner may challenge them with the order of Dismissal from service dated 20.06.2023.

(c) To pass any other /further order/ direction as this Hon'ble Court may deem fit and proper in the light of facts and circumstances explained above, in favour of the Petitioner and against respondents, in the interest of justice.

2. Mr. Vikrant N. Goyal, Adv. for the respondents states, a fresh set of the documents shall be given to the petitioner within two weeks from today.
3. If that be so, Mr. Phogat states, he shall withdraw the petition and file a fresh petition in accordance with law.
4. The petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 21, 2024/jg