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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4768/2024 & CM APPL. 19493/2024

DR. DIVYA ARORA

..... Petitioner

Through: Mr. A.K. Singh and Mr. Haridwar
Singh, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Syed Abdul Haseeb, CGSC with
Mr. Hilal Haider, GP for UOI with
Mr. Rakesh Kr. Singh, 2IC with
Mr. Avinash Yadav, DC for CRPF

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

09.04.2024

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

“In view of the aforesaid facts and circumstances of the case, it is most respectfully prayed that this Hon'ble court may graciously be pleased to:-

a. issue a writ in nature of certiorari to quash the 18.09.2023 chargesheet charge memorandum dated under cover of which a has been issued to the petitioner

b. Prohibit the respondents from continuing with the Departmental Proceedings/ enquiry against the petitioner.

c. Further direct the respondents to accept the resignation of the petitioner and remove the petitioner from service with superannuation benefits.

d. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the interest of justice.”



2. On the last date of hearing, this Court had passed the following order:

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

“a. issue a writ in nature of certiorari to quash the charge memorandum dated 18.09.2023 under cover of which a chargesheet has been issued to the petitioner.

b. Prohibit the respondents from continuing with the Departmental Proceedings/ enquiry against the petitioner.

c. Further direct the respondents to accept the resignation of the petitioner and remove the petitioner from service with superannuation benefits.

d. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

2. The learned counsel for the petitioner submits that the petitioner is ready to tender her resignation and discharge the liability towards the department in respect of a penalty imposed on her, not related to the subject matter of the charge sheet.

3. Mr. Syed Abdul Haseeb seek some time to take instructions and states that the date of hearing in the departmental proceedings being today, the same shall be deferred to a date beyond the date fixed by this Court in these proceedings.

4. List on April 09, 2024.”

3. Learned counsel for the petitioner submits that the petitioner is ready and willing to give a detailed representation to the Competent Authority within one week expressing her desire to tender her resignation as well as to pay the recovery notice which has been issued to her.

4. If that be so, the representation shall be considered by the respondents within four weeks as an outer limit and the decision taken be conveyed to



the petitioner.

5. We leave open the right of the petitioner to challenge the order to be passed by the respondents in accordance with law. The writ petition is disposed of.

CM APPL. 19493/2024

Dismissed as infructuous.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

APRIL 9, 2024/aky