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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8629/2024

DINABANDHU ORAM

.....Petitioner

Through: Mr.Abhay Kumar Bhargava with
Mr.Satyarth Singh, Ms.Niharika, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms.Avshreya Pratap Singh Rudy with
Ms.Usha Jammal, Advs.
Mr.Hemendra Singh, C.L.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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07.08.2024

CM APPL. 45179/2024 –Dir. by Petr

1. Though the present application has been filed by the petitioner seeking directions to the respondents to grant him one month earned leave so as to enable him to seek independent medical opinion, learned counsel for the respondents, who appears on advance notice, submits that vide an order passed today itself, the petitioner has been retired from service under Rule 25 of the BSF Rules with all pensionary benefits as payable under Rule 39 of the CCS (Pension) Rules. A copy of the said order has been handed over in Court and which is taken on record. A copy thereof has also been furnished to the learned counsel for the petitioner.
2. In the light of the aforesaid, we are of the view that neither the prayer in the present application nor the prayer in the writ petition can be



allowed at this stage.

3. The writ petition along with the present application is, accordingly, disposed of as having been rendered infructuous by granting liberty to the petitioner to seek legal recourse, as permissible in law, to assail the aforesaid order of retirement, on all grounds including grounds raised in the present petition.

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4. The next date fixed in the matter stands cancelled.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 7, 2024

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