



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

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+ W.P.(C) 15499/2023

Date of decision: January 08, 2024

CHANDER SHEKHAR MISHRA

..... Petitioner

Through: Mr. Abhay Kumar Bhargava, Mr.
Satyarth Sinha and Ms. Chandana
Debrath, Advocates

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Rahul Sharma, CGSC with Mr.
Rishabh Dubey, GP and Mr. Angad
Gautam, Advocates for UOI.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

V. KAMESWAR RAO, J. (ORAL)

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

“It is, therefore, humbly prayed that this Hon’ble Court may please to allow this writ petition and may further be please to:

i. Issue a writ of mandamus or any other order, writ or direction of the same nature thereby directing the DG BSF to extent the benefits of 1st financial up gradation to the petitioner under the MACP scheme after completion of 10



- years of regular service with all the consequential benefits.*
- ii. Issue a writ of Mandamus or any other appropriate writ, order or direction, thereby directing the Commandant 109 BN BSF i.e Respondent No. 4 to forward the rectified service record of the petitioner to the Commandant 162 BN BSF i.e. Respondent No 5.*
- iii. Issue a writ of Mandamus or any other appropriate writ, order or direction, thereby directing the Chief Law Officer FHQ CGO New Delhi i.e. Respondent No. 3 to supply a copy of the punishment order issued to the petitioner during the period ending 31.03.2020 and the relevant proceedings out of which the punishment order was issued.*
- iv. Pass any other order in the interest of Justice.”*
2. Learned counsel for the petitioner states that as of now he shall press the prayer iii which reads as under :
- “iii. Issue a writ of Mandamus or any other appropriate writ, order or direction, thereby directing the Chief Law Officer FHQ CGO New Delhi i.e. Respondent No. 3 to supply a copy of the punishment order issued to the petitioner during the period ending 31.03.2020 and the relevant proceedings out of which the punishment order was issued.”*
3. Learned counsel for the petitioner also submits that in support of prayer iii, the petitioner is ready to make a representation to the respondents for providing him the proceedings of the summary trial including the copy of the punishment order passed against the petitioner which resulted in his detention for a period of 28 days.
4. If that be so, let representation be made within a period of one week from today. The same shall be considered by the respondents who shall pass a reasoned order within four weeks as an outer limit thereafter.
5. It goes without saying, if the petitioner is aggrieved by the order to be



passed by the respondents, he shall be at liberty to seek such remedy as available in law.

6. The petition is disposed of.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 8, 2024/So