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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11060/2024

SOMPAL SINGH

.....Petitioner

Through: Mr. Abhay Kumar Bhargava with Mr.
Satyarth Sinha, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ashok Kumar Kashyap, SPC
with Mr. Kabir Kumar Hazarika, G.P. for UOI.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

09.08.2024

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1. The petitioner, who is serving as a Sub Inspector (GD) in the BSF, has approached this Court assailing the Show Cause Notice dated 18.06.2024 issued to him under Rule 25 of the BSF Rules, 1969 whereby he has been asked to show cause as to why, in view of the findings of the Medical Board held on 10.05.2024 to the effect that he was suffering from 54% permanent disability due to Alcohol Dependence Syndrome (ADS), his services should not be terminated.
2. Though, in response, the petitioner has submitted a representation addressed to the Director General (DG) on 26.06.2024 in terms of paragraphs 6 & 7, the said representation was required to be made to the Inspector General, Sector Headquarters, BSF, Berhampore, West Bengal.
3. We have put to the learned counsel for the petitioner as to why instead of submitting his representation to the Inspector General, Sector



Headquarters, BSF, Behrampore, the petitioner has directly approached the Director General at New Delhi. In response, he prays that the said representation addressed to the Director General be treated as a representation to the Inspector General, SHQ, BSF, Berhampore, West Bengal.

4. In the light of the aforesaid stand taken by the petitioner, we direct the respondents to consider the petitioner's representation dated 26.06.2024 as a representation to the Inspector General and dispose of the same as per law by taking into account Rule 25 of the BSF Rules, 1969.
5. Learned counsel for the petitioner submits that the respondents be directed to place on record their response to the grounds raised in the petition. We find no merit in this plea of the petitioner. Once the petitioner has already submitted a reply to the Show Cause Notice dated 18.06.2024 on which the respondents are yet to take a decision, we see no reason to entertain the petition at this stage.
6. The writ petition is, accordingly, dismissed. We however make it clear that we have not expressed any opinion on the merits of the grounds raised by the petitioner in this petition and therefore, in case he is aggrieved by any order(s) passed by the respondents, it will be open for him to seek legal recourse, as permissible in law.

REKHA PALLI, J.

SHALINDER KAUR, J.

AUGUST 9, 2024
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