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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12815/2024**
SUNIL KUMAR

.....Petitioner

Through: Mr. Manu Yadav, Adv.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Ms Neha Rastogi, SPC, Mr. Neeraj
Kumar Jha, G.P.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER
12.09.2024

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CM APPL. 53413/2024 –Ex.

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 12815/2024 & CM APPL. 53412/2024 –Int. dir.

3. The petitioner, who was serving as an Inspector (GD) in the Border Security Force (BSF) has approached this Court under Article 226 of the Constitution of India with the grievance that his Post-Confirmation Petition dated 26.06.2024 has not been decided by the respondents till date and therefore, he is unable to approach this Court to assail his dismissal from service.
4. Issue notice. Learned counsel for respondents accepts notice and submits that till date a copy of the Post-Confirmation Petition which



has been annexed with the petition has not been received by the respondents. Learned counsel for petitioner seeks to dispute this position.

5. We are however of the view that instead of delving into this controversy at this stage as to whether the Post-Confirmation Petition has already been received by the respondents or not, it would be appropriate to dispose of the writ petition by directing the respondents to decide the petitioner's Post Confirmation Petition on the basis of the copy annexed with the present petition. Learned counsel for the petitioner submits that since the copy of the Post Confirmation Petition filed with the writ petition does not include annexures, he will supply a fresh copy thereof alongwith all accompanying annexure to the learned counsel for the respondents today itself.
6. In the light of the aforesaid, the writ petition is disposed of by directing the respondents to decide the petitioner's Post-Confirmation Petition dated 26.06.2024 by passing a reasoned and speaking order within a period of two months.
7. Needless to state, in case the petitioner is aggrieved by any order passed by the respondents, it will be open for him to seek legal recourse, as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 12, 2024

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