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

+ **CONT.CAS(C) 1630/2024**

ANAND PAL

.....Petitioner

Through: **Mr. Vipin Yadav & Mr.
Krishna Srinivasan, Adv.**

versus

RAHUL RASGOTRA, DG, ITBP & ORSRespondents

Through: **Mr. Jiwesh Tiwari, SPC with
Mr. Kamaldeep, Adv.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

14.10.2024

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CM APPL. 60268/2024

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CONT.CAS(C) 1630/2024

3. The petitioner is seeking initiation of contempt proceedings against the respondents for the willful disobedience of the directions contained in the order dated 23.09.2024 in W.P.(C) No.13301/2024 passed by the Division Bench of this Court.
4. Learned counsel for the respondents is present along with Mr. Mrinal Upadhyay, DC & Mr. Devender Singh, DC.
5. Learned counsel for the petitioner submits that in the willful disobedience of the directions of this Court, the review order dated 03.10.2024 has not been supplied to him.
6. Learned counsel for the respondents has shown the record of the present matter, and it is pointed out that the findings and sentence by



the Summary Court Martial had been approved on 03.10.2023 and the remarks of the reviewing officer are also written in terms of the Indo-Tibetan Border Police Force Act, 1992, read with ITBPF Rule 161 to the effect '*I agree to the sentence and proceedings*'. Apparently, the said review was done by the reviewing officer/DIG Bangalore Division.

7. It is clarified that there is no separate order passed in the review proceedings.

8. Learned counsel for the petitioner has certain objections to the validity of such kind of review. Be that as it may, that would afford a different cause of action to the petitioner. He is at liberty to file an appeal in terms of Rule 168 of ITBPF Rule.

9. The petition is accordingly dismissed.

DHARMESH SHARMA, J.

OCTOBER 14, 2024

Ch/Ss