



2024:DHC:9422-DB



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

*Date of decision: 05.12.2024*

+ W.P.(C) 16785/2024  
SANDEEP KUMAR .....Petitioner

Through: Mr.Raja S., Adv.

versus

DIRECTOR GENERAL COAST GUARD HEADQUARTERS  
AND ORS. ....Respondents

Through: Nemo

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**NAVIN CHAWLA, J. (Oral)**

**CM APPL. 71029/2024 (Exemption)**

1. Allowed, subject to all just exceptions.

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2. This petition has been filed by the petitioner, challenging the Order dated 14.05.2024 issued by the respondent no.4 by which the petitioner has been advised that his request for resignation from service can be considered only when he reports onboard and dispenses with his marked state raised by the Unit and thereafter puts in a fresh request through the proper channel to the Commanding Officer seeking resignation from service.

3. The learned counsel for the petitioner submits that the petitioner



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be granted time to report for duty. He submits that the petitioner could not report for duty as his mother was unwell.

4. We are afraid that we cannot grant such relief in the exercise of our jurisdiction under Article 226 of the Constitution of India. The petitioner would have to report back to his duty and thereafter move an appropriate application to the respondents for passing of an appropriate order for his period of absence.

5. We have no reason to apprehend that the respondents would not consider any such application, if made by the petitioner, in accordance with the law.

6. We therefore find no merit in the present petition. The same is accordingly disposed of.

**NAVIN CHAWLA, J**

**SHALINDER KAUR, J**

**DECEMBER 5, 2024/Arya/DG**

*Click here to check corrigendum, if any*