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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6296/2015

DHIRENDER KUMAR

..... Petitioner

Through: Mr. Pardeep Gupta, Mr. Parinav
Gupta and Ms. Mansi Gupta,
Advocates

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Anurag Ahluwalia, CGSC for R-
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CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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14.02.2024

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

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to pass an order of issuing a writ of certiorari or of any nature thereby quashing the impugned finding dated 20.03.2014 and order dated 24.05.2014, Passed by the Commandant, 70 BN CRPF dismissing from the services of the petitioner and direct the respondent to reinstate the petitioner with full back wages.

Any other or further relief which this Hon'ble Court may deem fit and proper may also be passed in favour of the petitioner in the facts and circumstances mentioned above in the interest of justice.

2. Mr. Gupta learned counsel for the petitioner would submit that the petitioner would be satisfied if the case of the petitioner is considered under Rule 41 of the CCS (Pension) Rules for grant of compassionate allowance by considering the judgment of this Court in the case of **Gauri Shankar vs. Central Reserved Police Force** W.P.(C) 664/2021 decided on May 13,



2022.

3. Mr. Ahluwalia says, if the submission of Mr. Gupta is limited to Rule 41 of CCS (Pension) Rules, the entitlement of the petitioner for compassionate allowance shall be considered. If that be so, we dispose of this petition by directing the respondents to consider the case of the petitioner for grant of compassionate allowance, in the facts arising in this petition and pass a reasoned order in accordance with law within twelve weeks from today.

4. A copy of the decision taken shall be sent to the petitioner. If he is aggrieved with the order, he is within his right to seek such remedy as available in law.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 14, 2024/rr..