



2025:DHC:1055-DB



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

Date of decision: 19.02.2025

+ W.P.(C) 2115/2025
SANDEEP KUMAR

.....Petitioner

Through: Mr.Raj Singh Phogat, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Rajnish Kumar Gaind, SPC,
Mr.Shriram Tiwary, GP,
Mr.Hemant Kaushik, Ms.Charu
Rajput, Mr.Amit Nagar,
Mr.Praffula and Mr.Himanshu
Gupta, Advs. for R-1 to R-4

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 10021/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 2115/2025 & CM APPL. 10022/2025

2. This petition has been filed by the petitioner, seeking a direction to the respondent no.2 to release the petitioner from the service in order to join the respondent no.5, from whom the petitioner has received an offer of employment *vide* communication dated 25.11.2024.

3. The petitioner had applied for the post of Junior Manager (Technical/Engineering) with the respondent no.5, with his application



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being forwarded by the Coast Guard Region (NE), Commanding Officer, on 30.01.2024 for the issuance of a No Objection Certificate ('NOC'). The NOC was ultimately granted to the petitioner on 19.08.2024. The petitioner then submitted his technical resignation on 26.11.2024, seeking release from service on 15.12.2024. The resignation was duly recommended and forwarded through proper channels by the Inspector General of the Coast Guard Region (East) *vide* letter no. 2319 dated 11.12.2024. However, certain clarifications were sought, which were subsequently provided by the concerned authorities.

4. The petitioner is aggrieved by the fact that the last date for him to join the services with the respondent no.5 is 25.02.2025, and if the respondent nos.1 to 4 further delay the consideration of his request for early release, he may lose out on the said employment.

5. Issue notice.

6. Notice is accepted by Mr.Rajnish Kumar Gaiind, the learned counsel on behalf of the respondent nos.1 to 4.

7. He submits that presently he does not have any instructions on the claim made by the petitioner.

8. Having taken note of the above facts and the urgency expressed by the learned counsel for the petitioner, we dispose of the present petition by directing the respondents to consider the request of the petitioner to be released from service within a period of three days from today, in accordance with the applicable rules.

9. A decision thereon shall be immediately communicated to the



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petitioner. In case, the petitioner is aggrieved by the decision taken by the respondent nos.1 to 4, it shall be open to the petitioner to challenge the same in accordance with law.

10. *Dasti* under the signatures of the Court Master.

NAVIN CHAWLA, J

SHALINDER KAUR, J

FEBRUARY 19, 2025/sg/DG

Click here to check corrigendum, if any