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

+ **W.P.(C) 5837/2024, CM APPL. 24143/2024**

MUKUL KUMAR

.....Petitioner

Through: **Mr. L.K. Singh, Advocate.**

versus

GOVERNMENT OF NCT OF DELHI & ANR.

.....Respondents

Through: **Mr. Dhruv Rohatgi, Mrs. Chandrika
Dixit and Mr. Dhruv Kumar,
Advocates for GNCTD.
Ms. Bani Dixit, Mr. Uddhav Khanna
and Ms. Kavita Chaturvedi,
Advocates for R-2.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

06.03.2025

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1. The present petition has been filed by the petitioner assailing the Office Memorandum dated 05.04.2024 issued by the respondent no.1 whereby the request of the petitioner to recuse himself from the assignment of acting as Presenting Officer on behalf of the respondent no.1 in the Department Inquiry against Mr. Andy Sehgal, Assistant Public Prosecutor *vide* application dated 10.01.2024, has been declined.

2. During the course of hearing, attention is drawn to a letter dated 05.01.2024 addressed by the respondent no.2 to the Deputy Secretary (Home-DOP), Home Department/DOP Branch, Government of National Capital Territory of Delhi, wherein, it has been stated as under :-

***OFFICE OF DIRECTOR OF PROSECUTION: DELHI
GOVT. OF NCT OF DELHI: TIS HAZARI COURTS COMPLEX: DELHI***



No.F.2(732)/DOP/Admin/2019/Part- I/ 85

Dated: 05.01.2024

To
The Deputy Secretary (Home-DOP),
Home Department/DOP Branch,
GNCTD, 5th Level 'C' wing,
Delhi Secretariat, IP Estate,
New Delhi.

Sub: Disciplinary proceedings under rule 14 of CCS (CCA) Rules, 1965
against Sh. Andy Sehgal, Assistant Public Prosecutor, Directorate of
Prosecution, GNCT of Delhi-reg.

Sir,

I am directed to forward the name of the following officers of this
Directorate, to approve the name of One officer out of the following officer
for appointment as presenting officer in the subjected matter, as the Sh.
Mukul Kumar, Addl.PP/ PO has requested to replace the other officer for
presenting officer (copy enclosed).

Sl. No.	Name of the officer	Designation	Contact No.
1.	Sh. Pravesh Kumar Ranga	Addl. Public Prosecutor	9650791717
2.	Sh. Brijesh Kumar	Addl. Public Prosecutor	9650791749
3.	Sh. Rakesh Kumar	Addl. Public Prosecutor	9582747600

This issues with the prior approval of the Director of Prosecution,
GNCTD.

Yours faithfully

Encl: As above.

SD/-
(GHANSHYAM SRIVASTAVA)
HEAD OF OFFICE"

3. In the circumstances, after some hearing, with the consent of the
respective counsel, it is directed that any one of the persons referred to in the
aforesaid communication dated 05.01.2024 shall be appointed as the
Presenting Officer in place of the petitioner.
4. Let the requisite order be issued by the concerned respondent in this
regard expeditiously.
5. The present petition is disposed of in the above terms. Pending



application also stands disposed of.

6. It is made clear that this order has been passed in the peculiar facts and circumstances of the present case.

SACHIN DATTA, J

MARCH 6, 2025/r