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

+ **W.P.(C) 5665/2019**

**RAM BIR**

.....Petitioner

Through: **Mr. Himanshu Singh, Advocate.**

versus

**BSES YAMUNA POWER LTD. AND ANR.**

.....Respondent

Through: **Mr. Sandeep Prabhakar, Senior Advocate with Mr. Vikas Mehta, Advocate for BSES.**

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

**% 21.05.2025**

1. The petitioner, by way of this writ petition under Article 226 of the Constitution, has challenged a disciplinary order dated 16.07.2015, by which he was removed from service.
2. By an order dated 08.08.2023, it was recorded that the petitioner restricts the relief sought to the quantum of penalty imposed upon him.
3. Mr. Sandeep Prabhakar, learned Senior Counsel for the respondent, submits that instead of adjudicating the matter in a writ petition at this stage, the petitioner may be relegated to the remedy of an appeal under the service rules, which will be duly considered by the appellate authority, in accordance with law.
4. The matter was passed over to enable Mr. Himanshu Singh, learned counsel for the petitioner, to take instructions. He submits that this course



of action is also acceptable to the petitioner.

5. In view of the above, the writ petition is disposed of with liberty to the petitioner to file an appeal before the appellate authority against the impugned order dated 16.07.2015, with regard to the quantum of punishment imposed upon him. If the appeal is submitted within four weeks from today, the appellate authority of the respondent is requested to consider it as expeditiously as possible, on merits, rather than dismissing it on the ground of delay.

6. All rights and remedies of the parties remain reserved.

**PRATEEK JALAN, J**

**MAY 21, 2025**

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