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

+ W.P.(C) 8072/2026, CM APPL. 38605/2026-Exp.

NO. 112650090 CT (TAILOR) NADEEM AHAMAD (RETD)
THROUGH WIFE MRS. SHEEBA SHAKEEL (PEROKAR)

.....Petitioner

Through: Mr. Manoj Kumar Gupta & Ms.
Devangana Sharma, Advs.

Versus

UNION OF INDIA & ORS.

.....Respondents

Through: Counsel for respondents
(appearance not given)

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

05.06.2026

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1. By virtue of the present petition, the petitioner seeks the following reliefs:

“A. Issue an appropriate writ, order or direction thereby suspending the sentence awarded to the Petitioner by the PSFC vide findings and sentence dated 08 Dec 2025, as confirmed on 28 Mar 2026, and/ or

B. Enlarge/ release the Petitioner on permanent or interim bail, during pendency of the present Writ Petition, on such terms and conditions as this Hon'ble Court may deem fit and proper; and/ or

C. Issue an appropriate direction, directing the Respondent Authorities, particularly Respondent No. 2, to expeditiously decide/dispose of the Statutory Appeal dated 02 Apr 2026 preferred by the Petitioner (through wife) under Section 117(2) of the BSF Act, 1968, within a time-bound period as may be fixed by this Hon'ble Court; and/ or

D. Issue an appropriate writ, order or direction directing



the Respondents to forthwith supply complete copies of the PSFC proceedings, including Inquiry proceedings, Record of Evidence, and all connected disciplinary proceedings/ documents relied upon against the Petitioner, to enable him to avail appropriate legal remedies in accordance with law; and/ or

E. To pass such further orders or orders, direction/ Directions as this Hon'ble Court may deem fit and proper in accordance with law.”

2. At the outset, learned counsel appearing for all the respondents, upon instructions, submits that the present petition is not maintainable as the Statutory Appeal under *Section 130* of the Border Security Force Act, 1968 which has already filed by the petitioner is pending before the appropriate authorities. However, he, pursuant to instructions received from the Officers present in Court on behalf of the BSF, submits that the said Statutory Appeal shall be disposed of as expeditiously as possible, preferably within a period of *two months*.

3. In view of the aforesaid, learned counsel for the petitioner seeks to withdraw the present petition with liberty to seek appropriate remedies as and when required.

4. As such, the present petition, along with the pending application, is dismissed as withdrawn with liberty as prayed for.

SAURABH BANERJEE, J
(VACATION JUDGE)

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 5, 2026/alka