

Mukesh Kumar vs Union of India and Ors

Mukesh Kumar vs Union of India and Ors

SooperKanoon Citation : sooperkanoon.com/1255053

Court : Delhi Orders

Decided On : Jan-28-2026

Judge : Hon'Ble Mr. Justice V. Kameswar Rao, Hon'Ble Ms. Justice Manmeet Pritam Singh Arora

Appeal No. : W.P.(C)/1132/2026

Appellant : Mukesh Kumar

Respondent : Union of India and Ors

Advocate for Def. : Mr. Suhail Malik, Mr. Amit Acharya

Advocate for Pet/Ap. : Mr. Srivanshu Bhardwaj, Mr. Himanshu Bhardwaj

Judgement :

\$~92 * IN THE HIGH COURT OF DELHI AT NEW DELHI + W.P.(C) 1132/2026 & CM APPL. 5574/2026 MUKESH KUMARPetitioner Through: Mr. Srivanshu Bhardwaj and Mr. Himanshu Bhardwaj, Adv.

versus

UNION OF INDIA AND ORSRespondents Through: Mr. Suhail Malik, SPC, Mr. Amit Acharya, GP CORAM: HON'BLE MR. JUSTICE V. KAMESWAR RAO HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA ORDER % 28.01.2026 1. This petition has been filed with the following prayers:- a. Issue a

writ of Mandamus directing the Respondents to reinstate the Petitioner back into service with continuity of service, full consequential benefits and arrears of pay and allowances, treating the entire period of suspension and alleged absence as duty for all purposes; and/or b. Direct the Respondents to release subsistence allowance and other admissible dues to the Petitioner for the entire period of his suspension, together with interest at a rate deemed appropriate by this Honble Court; and/or c. Quash and set aside the impugned order dated 07.02.2025, as also the orders dated 16.01.2025; and/or d. To pass such other and further order, which this Honble Tribunal deem fit and proper in the existing facts and circumstances of the Case.

2. It is a conceded position that the petitioner has filed a representation,

This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 02/02/2026 at 12:21:37 which according to the counsel for the petitioner, is in the nature of statutory appeal against the order of dismissal on 18.03.2025 and is pending consideration before the respondents.

3. Appropriate shall be, keeping in view the prayers made in this petition, this petition shall be treated as a representation on behalf of the petitioner, to be considered by the competent authority and be decided by way of a reasoned and speaking order within four weeks from today. 4. The counsel for the petitioner submits that, without prejudice to the rights and contentions, the petitioner shall apply to the respondents for grant of terminal benefits, which are otherwise payable de hors the penalty of dismissal. 5. The petition along with pending application is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J JANUARY 28, 2026 rk

This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 02/02/2026 at 12:21:37

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com