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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1353/2022, CRL.M.A. 11557-61/2022**
S.K. SRIVASTAVA, IRS (RETD.)

..... Petitioner

Through: Ms.Shubhi Srivastava and Mr.Prime
Kumar, Advocates with petitioner in
person.

versus

STATE OF GNCTD & ANR.

..... Respondent

Through: Ms.Nandita Rao, ASC for State with
Ms.Vandini Dagar, Advocate with SI
Tirathpal, PS R.K.Puram.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER
02.06.2022

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1. The grievance of the petitioner is he was discharged for an offence under Sections 509 and 500 IPC by the learned MM vide order dated 19.04.2018.
2. The complainant went in revision against an order of discharge, bearing No.585/2018 filed by respondent No.2, which was allowed and the learned Revisional Court directed framing of charge after setting aside order on discharge.
3. It is the grievance of the petitioner, power of the Revisional Court is limited and in case it was not agreeable with the order of the learned MM, it ought to have set aside such order on discharge but could not have directed the learned trial Court to frame charge and an opportunity of being heard



ought to have been afforded to the petitioner before the learned trial Court to argue on charge.

4. Issue notice.
5. Learned ASC accepts notice for State.
6. Let notice be issued to respondent No.2 by all modes returnable on 28.10.2022.
7. At this stage, it is stated the charge has since been framed. In that event further proceedings be kept in abeyance till the next date of hearing.

YOGESH KHANNA, J.

JUNE 02, 2022

VLD