

**HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU**

CM No. 8531/2019 in
SWP No. 800/2006

Sunil Kumar Misra

...Petitioner(s)

Through :- Mr. Surinder Kour, Sr. Advocate with
Ms Manpreet Kour, Advocate

v/s

UOI and others

.....Respondent(s)

Through :- Mr. Parimoksh Seth, CGSC

Coram: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDER

CM No. 8531/2019

1. This is an application by the respondents seeking deletion of respondent No. 1 from the array of the respondents.
2. It is submitted that since the Secretary, Ministry of Home Affairs has nothing to do in so far as the controversy in the present petition is concerned, and, therefore, he has been unnecessarily made as party respondent.
3. Having considered the submissions made, I am of the view that respondent No. 1 i.e. Union of India can only be sued through the Secretary of Ministry concerned and, therefore, the plea of the applicants-respondents that this petition can proceed even in the absence of Secretary is misconceived.
4. Application is, accordingly, dismissed.

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5. Learned counsel for the petitioner seeks and is granted four weeks' time to file rejoinder.
6. Registry to list the main petition for hearing on 27.05.2021.
7. Leaned counsel for the respondents to keep the relevant record available at the time of hearing.

JAMMU
24.03.2021
Paramjeet



(SANJEEV KUMAR)
JUDGE