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IN THE HIGH COURT OF DELHI AT NEW DELHI

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+ W.P.(C) 9858/2009

SONICA JAGGI

..... Petitioner

Through: Mr. Rajiv Aneja, Adv.

versus

LT.GOVERNOR & ORS.

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

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25.10.2010

W.P. (C) No. 9858/2009 & CM APPL. No. 14173/2010

Counsel for the petitioner states, on instructions, that he be permitted to withdraw this writ petition with permission to approach the Tribunal under Section 8(3) of the Delhi Education Act, 1973. It is further prayed that the delay in filing the appeal, which has occurred due to the pendency of the present petition, be also condoned.

Counsel for the petitioner has also referred to similar orders passed by the Supreme Court of India in SLP (C) Nos. 6288/2009 & 6502/2009 titled **Abha Gupta vs. Director of Education & Ors.** and **Bina Sharma vs. Director of Education & Ors.**, respectively.

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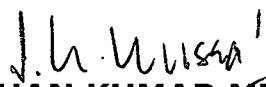
Since the petitioner was pursuing the instant remedy in a bona fide manner, to my mind, it is only appropriate that the delay in moving the Tribunal should not come in the way of the decision of the petitioner's appeal on merits, provided the same is filed within eight weeks from today. It is ordered accordingly, and it would be open to the petitioner to approach the Tribunal under Section 8(3) of the Delhi Education Act, 1973, without prejudice to any of the rights and conditions raised in this writ petition.

The writ petition is dismissed as withdrawn in the above terms.

Dasti.

CM APPL. NO. 8075/2009

In view of the orders passed in the main petition, this application does not survive and the same is disposed of as such.


SUDERSHAN KUMAR MISRA, J.

OCTOBER 25, 2010

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