

\$~99

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

+ W.P.(C) 7893/2011

K.M.BABY

..... Petitioner

Through: Ms. Lilly Thomas, Advocate

versus

UOI AND ORS.

..... Respondents

Through: Ms. Kimmi Brara, Advocate with Mr.
Hem Raj Garg, Asst. Dealing Officer

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **08.11.2011**

1. Notice.

2. Ms. Kimmi Brara, Advocate, accepts notice of the petition on behalf of respondents.

3. After arguing for some time, it has transpired that petitioner's appeal (Annexure-4) was decided way back on 1.10.2009, which according to the respondents was communicated to the petitioner on 6.10.2009. This is disputed by learned counsel for the petitioner.

4. Learned counsel for respondents has drawn the attention of this Court to the order of 26.7.2011, vide which the District Judge concerned has dismissed petitioner's appeal against the order of 30.9.2010 (Annexure-7), which is sought to be impugned in this petition.

W.P.(C) No.7893/2011

Page 1

Signature Not Verified

Digitally Signed By: AMULYA
Certify that the digital file and
physical file have been compared and
the digital data is as per the physical
file and no page is missing.

5. Learned counsel for the petitioner states that the petitioner was not aware of it.

6. Today a copy of order of 1.10.2009 of the concerned authority as well as copy of order dated 26.7.2011 has been handed over to petitioner's counsel, who states that liberty be given to challenge the arbitrary action of the respondents by filing a fresh petition.

7. This petition is accordingly dismissed as withdrawn, with liberty as aforesaid.

CM Nos. 17865/2011 & CM No.17866/2011 (both u/S 151 CPC)

Dismissed as infructuous.


SUNIL GAUR, J

NOVEMBER 08, 2011

rs