

§-3 & 4

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

+ W.P.(C) 2472/2016 & CM No. 41253/2016 (for stay)

SHRI K.K. YADAV

..... Petitioner

Through:
versus

Mr. Suresh Tripathy, Advocate.

GOVT. OF NCT OF DELHI & ORS

..... Respondents

Through:

Mr. Prabhsahay Kaur, ASC. (GNCTD) for
R-1.
Mr. Sandeep Prabhakar with Mr. Sanjay
Rawat and Mr. Vikas Mehta, Advocates for
R-2 to 5.

+ W.P.(C) 4119/2016 & CM No. 41447/2016 (for stay)

BISHAMBER DUTT

..... Petitioner

Through:
versus

Mr. Suresh Tripathy, Advocate.

GNCT OF DELHI AND ORS

..... Respondents

Through:

Mr. Prabhsahay Kaur, ASC. (GNCTD) for
R-1.
Mr. Sandeep Prabhakar with Mr. Sanjay
Rawat and Mr. Vikas Mehta, Advocates for
R-2 to 5.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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08.11.2016

1. These writ petitions involved two aspects. The first was with respect to who would be the Presenting Officer and the second aspect what could be the maximum age of enquiry officer i.e whether an enquiry officer could be more than 70 years.

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the physical file and no page is missing.

2. Counsel for the petitioners does not press the first aspect and counsel for the respondent no.2 states that without prejudice to the rights of the respondent no.2/BSES Yamuna Power Limited, in these cases the enquiry officer who is around 80 years will be changed and a new enquiry officer will be appointed within four weeks from today.

3. Counsel for the petitioners states that petitioners will participate in the enquiry proceedings before the new enquiry officer and with respect to which intimation will be given by the respondent no.2 to the petitioners as also the present counsel for the petitioners including the date fixed in the enquiry proceedings.

4. The statement for changing of the enquiry officer is only qua these cases and since it is without prejudice to the rights of the respondent no.2/BSES Yamuna Power Ltd., this will not affect the defence of respondent no.2/BSES Yamuna Power Ltd. in other cases.

5. The writ petitions are accordingly disposed of in terms of the aforesaid consent order.


VALMIKI J. MEHTA, J

NOVEMBER 08, 2016

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