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

+ **CM No. 38165/2016 & W.P.(C) 21248/2005**

FEDERATION OF INDIAN PHARMACISTS Petitioner

Through: Ms. Jyoti Singh, Senior Advocate
with Ms. Tinu Bajwa and Mr. Sameer
Sharma, Advocates with Mr. M. S.
Arya, General Secretary in person.

Versus

UOI Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **18.10.2016**

Ms. Jyoti Singh, the learned Senior Advocate for the petitioner submits that since the lis would be maintainable for adjudication before the Central Administrative Tribunal, therefore upon instructions, in particular of Mr. M. S. Arya, General Secretary of the petitioner who is present in the Court, she seeks to withdraw the writ petition with liberty to pursue the remedies before the appropriate forum. She further submits that the period for which the matter was erroneously pursued before this Court may not come in the way of the subsequent proceedings.

Since the petitioner pursued the matter assuming that this Court had jurisdiction on the basis of ill-advice that this Court was the appropriate forum, the petitioner should not be visited with such precipitate consequences as to deprive him of relief as may be otherwise available in

law before the appropriate forum.

In the circumstances, the period of pendency of this writ petition shall not come in the way of the petitioner's pursuing their remedies in law.

Liberty is granted.

The petition alongwith pending application stand dismissed as withdrawn.

NAJMI WAZIRI, J.

OCTOBER 18, 2016

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