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

+ W.P.(C) 3275/2014

GAURAV KUMAR BANSAL Petitioner

Through: None.

Versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Anil Soni, CGSC for UOI.

Mr. Gautam Narayan, ASC, with Ms. Shruthi Parasa, Adv. for R-2/GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

26.08.2016

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1. This petition has been filed by a practicing advocate as a Public Interest Litigation with the following prayers:-

"(a) Issue a writ of mandamus thereby (*sic.*) directing the respondent and all its instrumentalities not to give effect to provisions of Article 239AA and 239AB of the Constitution of India and to declare the same as being violative and ultra vires of the basic structure of the Constitution.

(b) Accordingly issue a writ of certiorari quashing the placing of Delhi at Serial No.1 in the List II, Union Territory of Schedule - I of the Constitution of India and to issue an appropriate writ order of direction placing Delhi in List-I, The States of Schedule 1."

2. Having dealt with various issues relating to the special provisions made under Article 239AA of the Constitution for administration of Delhi, the provisions of the Government of NCT of Delhi Act, 1991 and the Rules made thereunder, this Court has also recently disposed of a batch of writ

petitions by judgment dated 04.08.2016. That apart raising the very same issue relating to the status of Delhi under the constitutional scheme, the Government of NCT of Delhi has also filed a suit under Article 131 of the Constitution of India before the Supreme Court and the same is pending.

3. Since the Supreme Court is seized of the issue, there is no need to keep this petition pending any longer.

4. The writ petition is accordingly disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

AUGUST 26, 2016

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