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

+ **W.P.(C) 2230/2016**

VIPIN GUPTA

..... Petitioner

Through Mr.Ajay Garg, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATON & ORS.

..... Respondents

Through Mr.Mukesh Gupta, Standing Counsel
for the NDMC/R-1 and R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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13.07.2016

Petitioner seeks a direction by way of this petition qua respondent no.1 and respondent no.2 to grant sanction to prosecute respondent no.3, respondent no.4 and respondent no.5. Respondent no.1 and respondent no.2 are the North Delhi Municipal Corporation and the Commissioner of the North Delhi Municipal Corporation respectively. Respondent no.3 is the Executive Engineer, respondent no.4 is the Assistant Engineer and respondent no.5 is the Junior Engineer in the North Delhi Municipal Corporation.

Learned counsel for the respondents at the first instance, submits that a Civil Writ Petition would not be maintainable as the prayer is seeking a sanction which sanction necessarily has to be given under the provisions of Prevention of Corruption Act or the Cr.P.C. and as such a Criminal Writ Petition only would be maintainable. This Court is also of the same view. Liberty is accordingly granted to the petitioner to take appropriate remedy as

noted supra. This is without prejudice to his rights and contentions to raise other defences as are so permitted.

Petition disposed of.

Order dasti under signature of the Court Master.

INDERMEET KAUR, J

JULY 13, 2016
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