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

+ W.P.(C) 3750/2014

RAHUL & ORS.

..... Petitioners

Through Mr. Avadh Kaushik, Advocate.

versus

EMPLOYEES STATE INSURANCE CORPORATION & ANR.

..... Respondents

Through Ms. Sonam Anand & Mr. Yogesh Anand,
Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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14.01.2016

Learned counsel for the petitioner submits that the name of the petitioner Nos. 2 and 3 have been included in the subsequent merit list and to this extent, the writ petition has become infructuous. With regard to petitioner No. 1, learned counsel for the petitioner seeks liberty to withdraw the present writ petition and states that if he has any grievance on some other grounds, other than the one raised in the OA, he would approach the tribunal. Learned counsel for the respondent has stated that the petitioner No. 1 did not qualify as the marks obtained by him were below the cut off.

We take the statements on record and grant liberty to the petitioner as prayed for without expressing any opinion on merits. The respondents will be entitled to contest any issue or claim of the petitioner No. 1. We, however, clarify that the issues and grounds raised in the OA will not be permitted and allowed to be raised again before the tribunal.

SANJIV KHANNA, J.

ASHUTOSH KUMAR, J.

**JANUARY 14, 2016
VKR**