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

+ LPA 220/2016, CM APPL.12172-12174/2016

DR PUSHPENDRA SINGH Appellant
Through: Mr. Mohinder J.S. Rupal with Ms.
Simranjeet and Mr. Rajat Mathur, Advocates.

versus

DELHI TECHNOLOGICAL UNIVERSITY & ANR Respondents
Through: Mrs. Avnish Ahlawat, Adv. for Resp-1
Mr. Avinash Detha, proxy for Ms. Swaty Singh
Malik, Advocate for Resp-2.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MS. JUSTICE DEEPA SHARMA

% **ORDER**
01.04.2016

The appeal is directed against an order of 30.03.2016. It is contended that the order has the effect of virtually rendering the main relief claimed in the writ petition infructuous.

At the outset, this Court notices that the order - against which the appeal is sought to be filed - has not finally decided the rights of the parties. Arguably, it could be said that the date fixed might result in prejudice, however, that does not *ipso facto* entitle this Court to exercise the limited jurisdiction in Letters Patent Appeal. Learned counsel for the appellant requests that in these circumstances liberty be granted to move the learned Single Judge with an application for

early hearing and disposal of the interlocutory application and the writ petition, having regard to the subject matter and the likely hardship.

Counsel for the respondents/University which is the employer has no objection and states that in case such an application is moved, there would be no opposition for early hearing.

In the circumstances, the appellant is at liberty to apply for expedited and early hearing of the writ petition and the interlocutory application.

In the light of the above liberty, counsel seeks permission to withdraw the appeal; LPA 220/2016 is dismissed as withdrawn, along with all the pending applications.

A copy of this order be given **dasti** under the signatures of Courtmaster.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

APRIL 01, 2016

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