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

+ W.P.(C) 4259/2016 & C.M. 17982/2016

AJAY KUMAR SHARMA Petitioner

Through: Ms. Seema Sharma, Advocate

versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Prasanta Varma, CGSC, with
Mr. G. Baloni, Asst. Commdt.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

12.05.2016

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1. The present petition has been filed by the petitioner praying *inter alia* for directions to the respondent No.2-BSF to pay him arrears of HRA, to which he claims that he is legitimately entitled to.

2. At the outset, it has been inquired from learned counsel for the petitioner as to why should such a stale claim be entertained when an actionable cause of action for instituting the present petition had arisen in favour of the petitioner in the year 2011-12, the period for which he claims the HRA. The aforesaid query is considered material as there is no averment made in the writ petition to explain the delay nor is learned counsel for the petitioner in a position to offer any explanation for the gross delay.

3. At this stage, learned counsel for the petitioner seeks leave of the Court to withdraw the present petition.

4. Accordingly, the present petition and application are dismissed as withdrawn.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 12, 2016

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