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

+ **W.P.(C) 4540/2016 & CM No.18928/2016**

ASHISH SHARMA

..... Petitioner

Through : Dr. Monika Gusain and
Mr. Hariom Yaduvanshi, Advocates

versus

UNION OF INDIA AND ORS

..... Respondents

Through : Mr. Ajay Digpaul with
Dr. G.L. Bhatia, Advocates with
Mr. Deepak Kaushik, L.A., Zone-27.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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23.05.2016

1. The present petition has been filed by the petitioner praying *inter alia* for directions to the respondent/BSF to appoint him on the post of a SI/JE (Electrical) in the engineering unit pursuant to his participating in the examination held by the respondents in March, 2015.

2. Learned counsel for the petitioner submits that as per the final result for the post of Junior Engineer/Sub Inspector (Electrical) (Annexure-P-1), candidates upto Sr.No.12 were selected by the respondents, whereas the petitioner's name features at Sr.No.14 and since one of the candidates who was selected has opted out, the petitioner's name should now be considered

for appointment.

3. Counsel for the respondents states that there is no such policy of preparing a wait list by the respondents and once the examination is over and the results are declared, the vacancies that arise thereafter, are carried forward to the next year.

4. In view of the submission made by the counsel for the respondents, learned counsel for the petitioner seeks leave to withdraw the present petitioner.

5. Leave, as prayed for, is granted. The writ petition is dismissed as withdrawn, along with the pending application.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 23, 2016

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