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

+ LPA 648/2016

PRADEEP KUMAR GOEL Appellant

Through: Appellant-in-person.

versus

M/S J K SYNTHETICS LTD & ANR Respondent

Through: Mr.Nitin Soni, Adv. for R-1.

Mr.R.P. Pahwa, Adv. for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **21.12.2016**

CM No.43031-32/2016 (*exemption*)

Allowed, subject to all just exceptions.

CM No.43033/2016 (*delay in re-filing*)

Heard.

In the facts and circumstances explained in the application, delay in re-filing the appeal is condoned.

CM stands disposed of.

LPA No.648/2016

1. Heard the appellant who placed reliance upon *M/s. Baburam Prakash Chandra Maheshwari vs. Antarim Zila Parishad now Zila Parishad, Muzaffarnagar AIR 1969 SC 556* to substantiate his contention that existence of alternative remedy is no bar to maintain a writ petition.

2. There can be no dispute about the settled principle of law that the existence of the statutory remedy does not affect the jurisdiction of this Court to issue a writ. However, the law is also well-settled that where such

a remedy exists, it will be a sound exercise of discretion to refuse to interfere in a writ petition unless there are good grounds therefor.

3. Having regard to the facts and circumstances of the present case, we are of the view that the learned Single Judge has rightly declined to entertain the writ petition and left it open to the petitioner/appellant herein to avail the alternative remedy in accordance with law.

4. The said order, in our considered opinion, does not suffer from any legal infirmity. Hence, the appeal is dismissed.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

DECEMBER 21, 2016/pmc