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

+ **W.P.(C) 5707/2016, CM APPL. Nos. 23579/2016 and 23580/2016**

DR MOHD AJAZUR RAHMAN

..... Petitioner

Through **Ms. Minaksi Saini for Mr. Sagar Saxena,**
Advocate

versus

**SECRETARY HEALTH DEPARTMENT OF HEALTH
& FAMILY WELFARE GNCTD AND ORS**

..... Respondents

Through **Mr. Sanjay Dewan, Advocate**
along with **Dr. S.K. Bansal, Aruna Asaf**
Ali Government Hospital

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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22.06.2016

CM APPL. No. 23579/2016 (Exemption)

Exemptions allowed subject to all just exceptions.

The application stands disposed of.

W.P.(C) 5707/2016 and CM APPL. No. 23580/2016 (Stay)

The present is a petition under Article 226 of the Constitution of India
praying as follows:-

“(i) Issue appropriate writ/order thereby directing the respondents to refer the investigation of corruption and financial irregularities prevailing in the respondent no. 3 to an independent agency like CBI or such agency as may be deemed fit by this Hon’ble Court;

(ii) Issue appropriate writ/order thereby quashing the impugned transfer order dated 30.05.2016 (Annexure P-19) and direct the respondents to allow the petitioner to resume his duties on the same post/position i.e. Chief Medical Officer (NFSG) in the respondent no. 3 hospital, as was held by him prior to issuance of above impugned transfer order with all benefits;

(iii) Cost of the present proceeding be awarded in favour of the petitioner and against the respondents; and

(iv) Such other order(s) as this Hon'ble Court may deem fit and proper in public interest and in the interest of justice.”

Insofar as prayer clause (ii) is concerned, the same has been rendered infructuous in view of the corrigendum dated 21st June, 2016 issued by the Government of NCT of Delhi, Health and Family Welfare Department stating that the petitioner herein has been posted as the CMO (NFSG).

Insofar as prayer clause (i) is concerned, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present writ petition with liberty to institute appropriate proceedings in accordance with law before the court of competent jurisdiction.

The writ petition is disposed of accordingly. Pending application also stands disposed of.

SIDDHARTH MRIDUL, J

JUNE 22, 2016

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