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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5922/2016**
VIPIN GUPTA

..... Petitioner
Through Mr.Ajay Garg, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents
Through Mr.Sunil Goel, Standing Counsel for
NDMC/R-1 along with Mr. Dinesh
Sharma, Senior Investigating Officer,
Vigilance.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **13.07.2016**

Petitioner seeks a direction by way of this petition qua respondent no.1 and respondent no.2 to grant sanction to prosecute respondent no.3 and respondent no.4. Respondent no.1 and respondent no.2 are the North Delhi Municipal Corporation and the Commissioner of the North Delhi Municipal Corporation respectively. Respondent no.3 is the Accountant and respondent no.4 is the Engineer in the North Delhi Municipal Corporation.

Learned counsel for the respondents at the first instance, submits that a Civil Writ Petition would not be maintainable as the prayer is seeking a sanction which sanction necessarily has to be given under the provisions of Prevention of Corruption Act or the Cr.P.C. and as such a Criminal Writ Petition only would be

maintainable. This Court is also of the same view. Liberty is accordingly granted to the petitioner to take appropriate remedy as noted supra. This is without prejudice to his rights and contentions to raise other defences as are so permitted.

Petition disposed of.

Order dasti under signature of the Court Master.

INDERMEET KAUR, J

JULY 13, 2016

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