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

+ W.P.(C) 6235/2016

SHEENAM

..... Petitioner

Represented by: Mr.Jawahar Narang, Advocate

versus

UNION OF INDIA AND ANR

..... Respondents

Represented by: Mr.Ajay Dignaul &
Ms.Namisha Gupta, Advocate

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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20.07.2016

CM No. 25549/2016 (Exemption)

Allowed subject to all just exceptions.

W.P.(C) 6235/2016 & CM Nos. 25548/2016 & 25547/2016

1. Learned counsel for the petitioner concedes that the condition imposed in the advertisement for selecting officers for Short Service Commission in the Army Dental Corps cannot be said to be ultra virus. Counsel states that what he intends to plea was the condition being arbitrary and thus violative of Article 14 and Article 16 of the Constitution of India. However, on what basis petitioner prays so has not been pleaded. This is conceded to by the learned counsel for the petitioner.

2. Rather than the writ petition suffering dismissal for want of adequate

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pleadings constituting a proper cause of action, petitioner seeks leave to withdraw the writ petition with right reserved to file a fresh petition on the same cause of action but making relevant pleadings which would make out a case of arbitrariness or discrimination.

3. Granting liberty as prayed for, the petition as well as the two civil miscellaneous applications are dismissed as not pressed.

4. No costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 20, 2016

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