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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6799/2016 and CM No.27926/2016**

YOGITA GODARA Petitioner
Through: Mr.Ashish Aggarwal, Advocate

versus

FOOD CORPORATION OF INDIA AND ORS Respondents
Through: Ms.Harminder Oberoi, Advfor R-1
Mr.Harish Kumar Garg, Adv for R-2
Mr.Shadan Farasat, Adv for R-3

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **08.08.2016**

The petitioner has impugned the order dated 19.7.2016 whereby her services have been stated to be terminated on the ground that she had furnished a wrong OBC certificate.

It is contended that the OBC certificate was furnished to the respondents in March, 2011 which was duly verified by the respondents whereafter she was duly employed with the respondents. She continued to be an employee of the respondent till the aforesaid order of termination was issued.

The learned counsel for the petitioner submits that having duly verified the contents of the OBC certificate, no liability can be fastened on the petitioner with respect to misleading the respondents into issuing her the appointment letter, hence the basis of the aforesaid termination order is erroneous.

Notice. Learned counsel appearing for respondents No. 1 to 3 accept notice.

Learned counsel for respondent No.1 submits that the petitioner has not exhausted the remedy of Departmental appeal.

In the circumstances, the learned counsel for the petitioner seeks to withdraw the writ petition with a direction that it be treated as a representation in appeal to the respondent. It is so ordered. However, in the interregnum the impugned order which is to come into effect from 9.8.2016, shall remain stayed.

Should the petitioner not succeed in appeal, the final order passed by the respondent shall be kept in abeyance for a period of four weeks to facilitate the petitioner to avail legal remedies as may be available to her.

The petition is dismissed as withdrawn.

A copy of order be given dasti under the signature of the Court Master.

NAJMI WAZIRI, J

AUGUST 08, 2016/sv