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

+ W.P.(C) 8976/2016

MUKESH NANDA

..... Petitioner

Represented by: Mr.G.S.Chahal, Adv.

versus

HIGH COURT OF DELHI

..... Respondent

Represented by: Mr.Rajiv Bansal, Mr.Chetan Lokur  
Mr.Anurag Tripathi & Ms.Arпита, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE PRADEEP NANDRAJOG**

**HON'BLE MS. JUSTICE PRATIBHA RANI**

**ORDER**

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**30.09.2016**

CM No.36462/2016

Allowed, subject to just exceptions.

W.P.(C) 8976/2016 and CM No.36461/2016

1. In view of the vague pleadings learned counsel for the petitioner seeks leave to withdraw the writ petition with right reserved to file a fresh petition on the same cause of action but averring actionable pleadings.
2. Granting liberty as prayed for, WP(C) No.8976/2016 and CM No.36461/2016 are dismissed as not pressed.
3. At this stage learned counsel for the respondent states that the preliminary objection of respondent be noted lest respondent's rights are adversely affected at the second stage, if petitioner filed a second petition pursuant to the liberty granted. The objection is that the results were

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declared on August 26, 2016 notifying simultaneously that the objections received were rejected. As per notice dated April 08, 2016 last date for receipt of objections was April 23, 2016. Assuming that the petitioner filed the objections to the answer keys uploaded, since rejection was conveyed on August 26, 2016 notifying simultaneously that the written examination would be conducted on October 8 and 9, 2016, the petitioner ought to have filed the writ petition immediately and given the facts noted above the petition filed after more than one month would be hit by delay and laches.

4. The objections would be considered if petitioner files another writ petition as per the liberty granted above.

**PRADEEP NANDRAJOG, J.**

**PRATIBHA RANI, J.**

**SEPTEMBER 30, 2016**  
**dkb**