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

+ LPA 647/2016

B K BESHRA AND ORS Appellants

Through: Mr.S.C.Soren, Adv.

Versus

UNION OF INDIA AND ORS Respondents

Through: Mr.Sumit Rajput, Adv. for UOI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V.KAMESWAR RAO

ORDER

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21.11.2016

1. Heard both parties.
2. The petitioners in W.P.(C) No.7885/2016 are the appellants before us.
3. A perusal of the order under appeal shows that the learned Single Judge had opined that the writ petition was not maintainable in this Court. At that stage, the counsel for the petitioners (appellants herein) sought leave to withdraw the petition with liberty to pursue their grievances before the appropriate forum. Accepting the same, liberty was granted and the writ petition was dismissed as withdrawn. We are unable to hold that the said order suffered from any legal infirmity warranting interference in an intra-Court appeal. The petitioners/appellants having opted for dismissal of the writ petition as withdrawn with liberty to pursue the remedy before the appropriate forum, cannot now be allowed to plead that they are aggrieved by the said order.

4. Hence, the appeal is misconceived and the same is accordingly dismissed. However, this shall not preclude the appellants to avail the other remedies, if any, available under law.

CHIEF JUSTICE

V.KAMESWAR RAO, J

NOVEMBER 21, 2016
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