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

+ W.P.(C) 11881/2016 & CM Nos.46846-48/2016

M.K. PAUL ..... Petitioner

Through: Mr. Padma Kumar, S., Advocate

versus

UNION OF INDIA & ORS ..... Respondents

Through: Mr. Atul Batra & Mr. Kundan  
Mishra, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE SANJIV KHANNA**

**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**

**% 20.12.2016**

After some hearing, learned counsel for the petitioner, on instructions, states that the petitioner would be joining his parent department and accordingly would not press the present writ petition. He, however, submits that the Tribunal, in the impugned order dated 15.11.2016, while dismissing OA No.4239/2013, in para 31, had made observations that the marksheet and the High School Examination Certificate are bogus and forged. He submits that the said findings are not correct, for the reason that marksheet, etc. are genuine.

Learned counsel for the petitioner also submits that the petitioner, after the impugned order dated 15.11.2016 was passed, had applied to

Sahastra Seema Bal for one month's leave. He submits that the petitioner would be joining tomorrow, but his application for leave may be considered in accordance with the rules.

In view of the statement made by learned counsel for the petitioner, on instructions, we would dismiss the present writ petition as withdrawn. CM Nos.46846-48/2016 are also dismissed as withdrawn. The observations made by the Tribunal in para 31 of the impugned order dated 15.11.2016 are *prima facie* and would not be treated as final and binding observations. We, however, clarify that we have not issue any specific direction or have made any observations, affirming that the marksheet for 10<sup>th</sup> class, etc. are genuine.

With regard to the application for leave, post the pronouncement of impugned judgment dated 15.11.2016, we observe that it is open to the respondents to consider the same in accordance with law.

**SANJIV KHANNA, J**

**CHANDER SHEKHAR, J**

**DECEMBER 20, 2016**

**tp**