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

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W.P.(C)No.1777/2017

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Date of decision : 16th May, 2017

CHAND JAIN

..... Petitioner

Through : Mr. Sugriva Dubey, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr. Arun Bhardwaj, CGSC for
UOI.

Mr. Sanjoy Ghose, ASC for
GNCTD.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. Yet another writ petition has been filed without setting out any factual reasons for the relief claimed. Reference is made to the indiscriminate report which is without setting out of any specific details of the allegations.

2. Not only this, Mr. Sanjoy Ghose, ASC for GNCTD points out that Shri Chand Garg Jain (the petitioner herein), as President of the Akhil Bhartiya Vaish Aggarwal Mahasabha, had earlier filed a writ petition being WP(C)No.833/2017 not only on assertions similar to the present writ petition but also seeking identical prayers as have been made herein. We had therefore, called for the record of

WP(C)No.833/2017 which has been perused.

3. We find that in W.P.(C)No.833/2017, Shri Chang Garg Jain, the petitioner herein has made identical averments and same prayers as have been sought in the present writ petition.

4. We may note that in this background, para 18 of the writ petition wherein Shri Chand Garg Jain has declared that “*no such similar petition has been filed either in this court or before the Supreme Court of India*”. Clearly is a false statement.

5. The present writ petition is a gross abuse of process of law and deserves to be dismissed with punitive costs.

At this stage, Mr. Sugriva Dubey, learned counsel for the petitioner makes a prayer that he may be permitted to withdraw the present writ petition.

6. Given the above narration of facts, we are not inclined to permit withdrawal of the writ petition though we would accept Mr. Dubey’s prayer for waiver of costs. Whether be it dismissal or withdrawal, the result of the order would be the same. Proceedings in this matter would close and the intention of the petitioner not to proceed with prosecution of the case would stand satisfied.

In view thereof, this writ petition is dismissed.

ACTING CHIEF JUSTICE

MAY 16, 2017/mk

C. HARI SHANKAR, J