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

+ W.P.(C) 10684/2017 & C.M. Nos.43818-43820/2017

SANDEEP DABAS

..... Petitioner

Through

Mr.Sandeep Khatri, Adv. with Ms.P.
Kaur, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION
& ORS

..... Respondent

Through

Mr.Kapil Dutta, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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01.12.2017

1. The petitioner is aggrieved by the judgment dated 31st May, 2016 passed by the Central Administrative Tribunal, dismissing his request for setting aside/quashing his transfer orders dated 23rd November, 2012, 19th December, 2012 & 28th December, 2012, issued by the Directorate of Education, North Delhi Municipal Corporation.
2. We may note that in the impugned judgment, while dismissing the OA filed by the petitioner by declining to interfere in the transfer orders holding *inter alia* that the said order was justified due to administrative exigency and no mala fides have been attributed by the petitioner for his transfer, a token fine was imposed on him by the Tribunal for indulging in wanton litigation.
3. Learned counsel for the respondents appearing on advance notice,

opposes the petition and states that after the petitioner had joined his place of posting, on receiving his written request for being transferred from the evening shift to the morning shift on the ground that he was pursuing his LL.B. course in the evening session, the same was duly acceded to by the Department and he was duly transferred to the morning shift.

4. In other words, learned counsel submits that the petitioner has duly accepted the impugned order of transfer and joined his place of posting. He also states that the petitioner has withheld material information regarding a departmental inquiry pending against him where one of the articles of charge in the Charge-sheet issued against him is for having impersonated an Officer of the CVC and contacting the Principal of the earlier School where he was posted for eliciting information and that he was suspended on 26.6.2014. The said enquiry is still pending.

5. At this stage, learned counsel for the petitioner states that he may be permitted to withdraw the present petition. Leave, as prayed for, is granted.

6. The petition is dismissed as withdrawn along with pending applications.

HIMA KOHLI, J

REKHA PALLI, J

DECEMBER 01, 2017/aa