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

+ W.P.(C) 5189/2015

KIRAN MAHAJAN

..... Petitioner

Through: Ms. Rachna Gupta, Advocate.

versus

M/S. DELHI FINANCIAL CORPORATION

..... Respondent

Through: Mr. Rajat Tyagi, Advocate with Mr.
Desh Deepak, Advocate for
respondent No.1.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **20.03.2017**

1. In this petition, petitioner had sought the relief of release of gratuity, but since a criminal case is pending against the petitioner, and accordingly the ratio of the Supreme Court judgment in the case of ***Union of India and Ors. Vs. Shri B. Dev (1998) 7 SCC 691*** will apply. Accordingly, this writ petition is disposed of as not pressed with liberty, as prayed for, being granted to the petitioner to approach the Court by means of filing independent proceedings in case the criminal case against the petitioner is dismissed. The petitioner, in the independent proceedings to be initiated for which liberty is given, is entitled to raise all grounds of facts and law

including the grounds as urged in this writ petition.

2. Writ petition is accordingly disposed of with the aforesaid liberty.

VALMIKI J. MEHTA, J

MARCH 20, 2017
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W.P.(C) No.5189/2015

page 2 of 2