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

+ W.P.(C) 5231/2017

AIR VICE MARSHAL B.K. SOOD, VSM

..... Petitioner

Through: Ms. Jyoti Singh, Sr. Adv. with Mr. Rajiv Manglik and Mr. Himanshu Gautam, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Sanjay Jain, Addl. Standing Counsel, Mr. Ankur Chibber, Mr. Sarfaraz Ahmad and Mr. Kartik Rai, Adv. for UOI

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **02.06.2017**

W.P.(C) 5231/2017

Challenge in this writ petition is to the order dated 29.05.2017 by which an application filed by the petitioner herein seeking interim relief has been declined. The learned Additional Solicitor General appears on an advance copy. On instructions, he submits that the present writ petition has become infructuous as the respondent no. 4 has already taken charge.

Ld. Sr. Counsel for the petitioner submits that although the promotion order has been passed but the OA which has been admitted to hearing would become infructuous in case protection is not granted to the petitioner.

Ld. counsel for the petitioner submits that the petitioner would move a fresh application before the Tribunal to seek protection of her rights should the petitioner succeed in the matter.

The writ petition is disposed of in the above terms.
Order dasti.

CM APPL. No. 22216/2017 (Stay)

CM dismissed being infructuous.

**G.S.SISTANI, J
(VACATION JUDGE)**

**VINOD GOEL, J
(VACATION JUDGE)**

**JUNE 02, 2017
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