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

+ **W.P.(C) 7546/2017**

D C KULSHRESTHA

..... Petitioner

Through: Mr. Aarushi Aggarwal, Adv.

versus

DELHI TECHNOLOGICAL UNIVERSITY

AND ORS

..... Respondents

Through: Mrs. Avnish Ahlawat and Ms. Palak Rohmetra, Advs. for R1.
Ms. Shruti Munjal, Proxy Counsel for Mr. Ankur Chibber, Adv. for R2 and R3.
Mr. P.S. Singh, Adv. for R5.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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29.08.2017

The present petition has been filed by the petitioner with the following prayers:

“In the premise aforesaid, the petitioner most humbly prays that this Court may be pleased to:

- a. issue an appropriate writ, order or direction thereby directing the respondents to pay interest @ 24% p.a. on the arrears of revision of pension w.e.f 01.01.2006 till the date of actual release of arrears of pension, i.e., October, 2016;*
- b. pass any such order or direction as this Hon'ble Court may in deem fit and proper in favour of the petitioner; and*
- c. allow the present writ petition with costs;”*

Suffice to state the petitioner had earlier filed a writ petition being

W.P.(C) 10669/2015 which was disposed of on August 16, 2016 with the following orders:

*“The learned counsel for respondent Nos. 2 & 3, submit that the relief sought in the petition stands duly granted to the petitioner, i.e., the Pay Scale of the petitioner has been duly upgraded/revised in terms of the Sixth Central Pay Commission vide order No. F.DTU/Legal(CC)/164/2015/6075 dated 12th August, 2016. A copy of the order has been supplied to the learned counsel for the petitioner and another copy has been placed on record.
In view of the above, nothing survives in the petition. It is disposed off, accordingly.”*

On a specific query put to the learned counsel for the petitioner whether, the petitioner had sought interest in the earlier petition, the answer is in the affirmative. If that be so, the present petition is not maintainable.

At this stage, learned counsel appearing for the petitioner seeks to withdraw the writ petition to enable the petitioner seek appropriate remedy against the order dated August 16, 2016.

The petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

AUGUST 29, 2017/jg