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

+ **W.P.(C) 7895/2017**

MOHD AYUB KHAN AND ANOTHER Petitioners

Through Mr Ankush Singh Pawr, Advocate for
UOI.

versus

UNION OF INDIA AND OTHERS Respondents

Through Mr Prasanta Varma, Senior Govt
Counsel with Ms Shalu Goswami, Advocate for
UOI.

Mr Vikas Shokeen, Advocate for R2,3 &
R4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

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08.09.2017

CM 32625/2017

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioners have filed the present petition, *inter alia*, praying that the respondents be directed to provide compensation on account of the demise of their son, which was allegedly caused due to the negligence of the respondents.

4. It is the case of the petitioners that their son, Mohd Jaffer, expired on 15.08.2016, while he was returning home. It is stated that he was riding motorcycle and was entangled in synthetic/glass coated/Chinese *Manjha*,

used to fly kites and, his death was caused due to strangulation. The petitioners further states that an FIR in this regard has also been registered.

5. It is apparent from the reading of the petition that the controversy involves several questions of fact, which would have to be determined. In this view, this Court does not consider it apposite to do so in these proceedings under Article 226 of the Constitution of India.

6. The petition is disposed of with the liberty to the petitioners to institute appropriate proceedings.

VIBHU BAKHRU, J

SEPTEMBER 08, 2017

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