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

+ **CONT.CAS(C) 306/2018, CM No. 17573/2018**

RICHA TRIPATHI

..... Petitioner

Through: Mr. K.M.M. Khan, Adv.

versus

DR R.K RAGHUVANSHI & ANR

..... Respondents

Through: Mr. Kapil Madan and Ms. Ritu, Adv.
for R1.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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01.05.2018

Present petition has been filed by the petitioner alleging non-compliance of order dated February 26, 2018 passed by the Division Bench of this Court in LPA 74/2018. It is a conceded case that respondent no.1 has passed the order dated March 13, 2018. Similarly, respondent no.2 has also passed the order dated March 28, 2018.

It is the submission of Mr. K.M.M Khan, learned counsel appearing for the petitioner that the order dated March 13, 2018 is not an order in the eye of law inasmuch as respondent no.1 has primarily decided the application of the petitioner on the basis of the observations made by the Coordinate Bench of this Court in W.P.(C) 6998/2017. It is also his submission that respondent no.2 has passed the order after filing of the contempt petition. Be that as it may, Para 2 and 3 of the order dated March 13, 2018 reads as under:

“2. That the seat so vacated by you shall still remain vacant for the next three consecutive years, resulting in financial loss to the institute. Therefore, the NOC for migration may be

granted only after payment of the entire tuition fee and other charges for the rest of the course. There is adequate case law on the same.

3. That the above mentioned condition may also apply only after written authorization of the University to allow migration from one college to another in the current semester.”

Since both the authorities have taken a decision and communicated the same to the petitioner, it would be appropriate for the petitioner to seek such remedy as available in law.

At this stage, Mr. Khan wishes to withdraw the petition with liberty to seek such remedy as available in law.

With liberty as prayed for, the petition and the connected application are dismissed as withdrawn.

V. KAMESWAR RAO, J

MAY 01, 2018/jg