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

+ W.P.(C) 3218/2017

RAJIV KUMAR MISRA

..... Petitioner

Through: None

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Arun Bhardwaj, CGSC with
Mr. Kavindra Gill, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **24.09.2018**

1. On 29.11.2017, learned counsel for the petitioner had stated that the petitioner had expired in the first week of November, 2017 and he would need time to obtain instructions from the legal heirs of the deceased petitioner as to whether they wished to pursue the present petition any further. At the request of the counsel for the petitioner, the matter was adjourned to 16.01.2018 and thereafter to today.

2. Counsel for the respondents states that in all this duration, no steps have been taken by the legal heirs of the deceased petitioner to file an application for impleadment in the present petition. He therefore states that the present petition has been rendered infructuous and may be dismissed.

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3. We may note that the petitioner had approached the Tribunal for quashing of the communication dated 28.01.2014 issued by the respondent No.1/Ministry of Finance and further for upgrading the grade in the APAR for the periods between 01.04.2011 to 30.09.2011 and 01.10.2011 to 31.03.2012.

4. None is present on behalf of the petitioner today. It appears that the counsel for the petitioner has not received any instructions from the legal heirs of the deceased petitioner to pursue the present petition.

5. Accordingly, the present petition is dismissed in default.

HIMA KOHLI, J

REKHA PALLI, J

SEPTEMBER 24, 2018

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