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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5585/2018, C.M. APPL.21776-21777/2018**

RACHNA TIWARI LAKHANPAL Petitioner
Through : Sh. Vikas Pahwa, Sr. Advocate with Sh.
Vikas Arora and Sh. Karan Khanuja, Advocates.

versus

**THE REGISTRAR (VIGILANCE) HONBLE HIGH COURT OF
DELHI & ANR.** Respondents
Through : Sh. Viraj. R. Datar, Advocate.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

% **ORDER**
17.07.2018

Learned senior counsel for the petitioner submits that pursuant to the previous order, a brief reply was filed. He further submits that as on date, no further proceedings in the departmental enquiry have been initiated. Learned senior counsel also urged that given the identity of the charges levelled in the departmental proceedings on the one hand and criminal proceedings on the other, there is likelihood of prejudice because her co-accused in the criminal cases have been listed as witnesses and that cross-examining them in the departmental proceedings would result in irreparable prejudice to her.

The Court has considered the submissions of the respondents. As on date, the petitioner has not filed her full response. It is only upon receipt of reply the competent authority would have to decide

whether to initiate disciplinary proceedings and if so, appoint an Enquiry Officer. In the circumstances, the petitioner's prejudice at the moment is only with respect to the apprehensions voiced – which may be real. However, that is a matter to be gone into at the later stage. In case of any further development such as the appointment of the Enquiry Officer and notice of enquiry, it is open to the petitioner (in the light of any further development in the criminal proceedings) to approach this Court for appropriate relief. All contentions available to the petitioner are reserved. The petitioner is granted three weeks to file detailed reply.

Learned senior counsel seeks permission to withdraw the writ petition in the light of the above order.

The writ petition is accordingly dismissed as withdrawn along with the pending applications.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JULY 17, 2018/ajk