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

CM No.22977/2018 in
+ W.P.(C) 7067/2017

SUMIT PAWAR Petitioner
Through : Mr. Sanjeet Singh, Adv.

versus

UNION OF INDIA & ORS Respondents
Through : Mr. Kirtiman Singh and
Mr. Prateek Dhanda, Advs.
for R-1.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
% **28.05.2018**

1. By way of instant writ petition, the petitioner has challenged the constitutional validity of the notification bearing No.F(1)(1)/Rectt./MVI/Tpt./96 dated 9th April, 1999.
2. The writ petitioner has disclosed that assailing the action taken under the notification, he had earlier filed a writ petition being W.P.(C)No.3260/2012 which was transferred and renumbered as T.A.No.59/2013 before the Principal Bench, Central Administrative Tribunal. These proceedings are stated to be still pending.

3. We are of the view that the writ petitioner can maintain his challenge before the Central Administrative Tribunal either by way of an amendment of the existing application being T.A.No.59/2013 or by way of substantive challenge.
4. In view of the above, ld. counsel for the petitioner prays for leave to withdraw this writ petition in order to invoke an appropriate remedy before the Central Administrative Tribunal.
5. This writ petition and application are disposed of as withdrawn with liberty as prayed for.
6. The date of 28th August, 2018, already fixed in the writ petition, shall stand cancelled.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

MAY 28, 2018

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