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

+ **CRL.M.C. 314/2019**

TARUN KUMAR Petitioner

Through: Mr. Amandeep Singh, Adv.

versus

STATE & ANR. Respondents

Through: Mr. Mukesh Kumar, APP for State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **21.01.2019**

Learned counsel for the petitioner submits that petitioner had filed an application for personal exemption before the trial court on the ground that petitioner was suffering from viral fever, however, the said application was dismissed by the trial court despite medical prescription and NBWs were issued against the petitioner. It is submitted that after blood test it was found that petitioner was suffering from dengue and typhoid. On the next date also exemption was prayed but to no effect.

Learned counsel for the petitioner submits that petitioner will now file an application before the trial court for recalling of NBWs as he had been suffering from dengue and typhoid. He seeks leave to withdraw the petition with liberty to approach the trial court for recalling of NBWs.

Petition is disposed of as withdrawn. However, petitioner is granted liberty to file appropriate applications before the trial court for recalling of the NBWs. It is made clear that in case any such application is filed by the petitioner the same shall be considered by the trial court sympathetically in view of the fact that petitioner had been suffering from the dengue and typhoid.

Petition is disposed of in the above terms. Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

JANUARY 21, 2019

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