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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 596/2019
DR MAHABIR PRASAD YADAV Appellant
Through Mr. Joby P. Varchese, Advocate.

versus

LAKSHMIBAI COLLEGE & ANR Respondent
Through Ms. Beenashaw N. Soni, Advocate
for R1/Lakshmibai College.
Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal, Ms. Aditi Shastri, Advocates
for R2/University of Delhi.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **25.09.2019**

CM APPL. 41168/2019 (exemption)

Allowed, subject to all just exceptions.

LPA 596/2019 & CM APPL. 41167/2019 (by the appellant seeking interim directions) & CM APPL. 41169/2019 (by the appellant seeking condonation of delay of 21 days in filing appeal).

1. The appellant is aggrieved by an order dated 17.07.2019 passed by the learned Single Judge, rejecting an application (C.M. APPL. 54731/2018) moved by him for enhancement of the subsistence allowance, in view of the statement made by learned counsel for the respondent No.1/Lakshmibai College to the effect that enhancement of the subsistence allowance would be considered by the Review Committee appointed by the Governing Body.

2. Ms. Soni, learned counsel for the respondent No.1/Lakshmibai College states that vide Minutes of Meeting dated 30.04.2019 of the Review Committee, it was decided that keeping in mind the pending disciplinary enquiry against the appellant, status quo may be maintained with respect to the subsistence allowance being paid to him, which as on date, is 50% of his basic pay. Learned counsel states that the said recommendations were approved by the Governing Body of the respondent No.1/Lakshmibai College on 24.05.2019 and a copy of the decision taken by the Governing Body, has been duly furnished to learned counsel for the appellant but for reasons best known to the appellant, neither the recommendations made by the Review Committee, nor the decision of the Governing Body, have been challenged so far.

3. Learned counsel for the appellant states that he will take steps to challenge the said decision now that a copy of Minutes of Meeting dated 30.04.2019 of the Review Committee has been furnished to him. He seeks leave to withdraw the present appeal while reserving the right of his client to file an application/petition challenging the said recommendations, which have been accepted by the Governing Body on 24.05.2019.

4. The present appeal is disposed of with liberty granted to the appellant as prayed for alongwith the pending applications.

HIMA KOHLI, J

ASHA MENON, J

SEPTEMBER 25, 2019/MK