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

+ **W.P.(C) 5085/2018**

ASHISH AHUJA & ORS

..... Petitioners

Through: Mr.Kishan Rawat, Advocate.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI & ANR

..... Respondents

Through: Mr.Nitesh and Mr. Abhinav Singh,
Advocate for R-1.
Mr.Yeeshu Jain with Mr. Shivam
Yadav, Advocates for LAC and L&B.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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20.12.2019

C.M.No.54862/2019 (Exemption)

1. Allowed, subject to all just exceptions.

Review Petition 531/2019 and C.M.No.54861/2019 (Interim direction)

2. Learned counsel for the Petitioners states that several relevant and correct facts that ought to have been pleaded in the main writ petition itself were omitted to be pleaded by the Petitioners and, therefore, the impugned order came to be passed on the basis of pleadings which were either incomplete or incorrect. He states that the Petitioners would like to withdraw the main petition itself, if restored, reserving the liberty to file a fresh petition in accordance with law.

3. Considering that the present review petition has been filed pursuant to the liberty granted to the Petitioners by the Supreme Court by order dated 15th November, 2019 while dismissing their SLP No. 26414/2019 against the order of this Court of which review is sought, the Court takes the above submissions of the counsel for the Petitioner on record and recalls its order dated 30th July, 2019 dismissing the writ petition and restores W.P (C) 5085/2018 to file. The review petition is accordingly allowed.

W.P(C) 5085/2018

4. In view of the statement of the learned counsel for the Petitioner as recorded in para 2 above, the writ petition and application are dismissed as withdrawn with liberty as prayed for. All contentions of the Respondents, including on the question of delay and laches as well as on merits, are left open to be urged at the appropriate stage.

S. MURALIDHAR, J.

TALWANT SINGH, J.

DECEMBER 20, 2019

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