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

+ **W.P.(C) 7328/2018**

AWADHESH PRASAD SINGH & ORS Petitioners
Through: Mr Arjun Singh Bhati, Advocates.

Versus

UNION OF INDIA & ANR Respondents
Through: Mr Amit Mahajan, CGSC with Ms
Mallika Hiremath, Advocate for
CGSC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **05.02.2019**

CM No.3886/2019 in W.P.(C) 7328/2018

1. For the reasons stated in the application, the delay in filing is condoned.
2. The application stands disposed of.

W.P.(C) 7328/2018

3. Mr Mahajan, learned counsel appearing for the respondents points out that the petitioner is located Patna; the property sought to be attached is in in Patna; the officer who has passed the provisional attachment order is located in Patna; and the FIR has also been registered in Patna. He submits that in the aforesaid view, it would be apposite if the petitioner is relegated to avail of his remedies, if any, before the appropriate Court. He has also referred to the decision of the Division Bench in *Aasma Mohammed Farooq & Anr. v. Union of India & Ors.*:

W.P.(C) 12494/2018, decided on 05.12.2018 in support of his contention.

4. In view of the aforesaid judgment, learned counsel appearing for the petitioner seeks to withdraw the present petition, with liberty to avail of his remedies before the appropriate court. He further requests that the interim order be continued for a further period of four weeks to enable the petitioner to approach the competent court.

5. The petition is dismissed as withdrawn with the aforesaid liberty. It is also directed that the petitioner shall not be dispossessed of the property in question for a further period of four weeks.

6. Order *dasti* under signature of Court Master.

VIBHU BAKHRU, J

**FEBRUARY 05, 2019
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