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

+ **W.P.(CRL) 2567/2018**

KIRAN MEHTA & ANR

..... Petitioners

Through: Ms. Ruchi Kohli and Ms. Srishti Mishra,
Advocates

versus

CENTRAL BUREAU OF INVESTIGATION/EO-I & ANR

..... Respondents

Through: Ms. Rajdipa Behura, SPP for CBI with
Ms. Kriti Honda, Advocate for R1/CBI
Mr. Jasmeet Singh, CGSC with Mr. Aditya
Madaan, Advocate for R2/UOI

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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07.01.2019

**Crl. M. A. /2018 (by the petitioners for seeking permission to
amend the writ petition)**

1. The Registry is directed to assign a number to the present application.
2. The respondents have already been directed to file counter affidavits in reply to the amended writ petition.
3. For the reasons stated in the application, the same is allowed. The amended writ petition is taken on record.
4. The application is disposed of.

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1. The counter affidavit filed by the respondent No.1/CBI is lying under objections.

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2. Learned counsel for the respondent No.2/UOI seeks further time to file the counter affidavit.
3. At this stage, learned counsel for the petitioners states that Shri Sanjay Mehta, husband of the petitioner No.1 and son of the petitioner No.2 has recently expired. Besides that, she submits that on the petitioners moving the trial court, the property in question, namely, premises No.C-4, New Krishna Nagar, Street No.7, Delhi – 110051, that was sealed by the respondents, has been directed to be de-sealed vide order dated 03.01.2019.
4. In view of the aforesaid developments, we do not see any reason to keep the present petition alive. However, the legal issue pertaining to the vires of Sections 83(1) & (4) of the Cr.P.C. raised in the petition is kept alive for being decided in an appropriate petition.
5. The petition is disposed of.

HIMA KOHLI, J

MANOJ KUMAR OHRI, J

JANUARY 07, 2019

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