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

+ **W.P.(C) 11153/2017**

MUNNA KUMAR Petitioner
Through Mr. M.P.Singh, Advocate

versus

UNION OF INDIA AND ORS. Respondents
Through Ms. Archana Gaur, Advocate for
Respondent No.1/UOI
Mr. Vivek Kumar Singh, DC Law, CRPF and
Mr. Deepak Kumar, SI, CRPF

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE SANJEEV NARULA

ORDER
18.02.2019

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1. On 4th October, 2018, the following order was passed.

“1. On 09.07.2018, learned counsel for the petitioner had sought time to file a better affidavit to explain the delay on the part of the petitioner in filing the present petition when the cause of action had admittedly arisen, for the first time, in June, 2011. Instead of filing the affidavit of the petitioner, learned counsel has proceeded to file his personal affidavit to narrate certain facts which would entitle the petitioner for seeking condonation of delay. We decline to entertain the said affidavit.

2. It is for the petitioner to file his personal affidavit to explain the delay and seek condonation of delay and not for the counsel for the petitioner to do so.

3. At this stage, learned counsel for the petitioner states that he be

permitted to withdraw the affidavit filed under index dated 27.09.2018 and instead the petitioner be permitted to file his personal affidavit. The affidavit dated 27.09.2018 is directed to be taken off the record. The petitioner shall file his personal affidavit to explain the delay.

4. At the request of counsel for the petitioner who says that it will take at least 2 months for the petitioner to travel from Jalandhar to Delhi to file his personal affidavit, renotify on 18.02.2019.”

2. Till date no personal affidavit of the Petitioner has been filed pursuant to the above order.

3. In that view of the matter, the petition is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 18, 2019

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