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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 19.11.2020

**W.P.(C) 5024/2020 & CM APPL.18088/2020 (Stay), CM
APPL.18091/2020 (Additional Documents) and CM
APPL.21597/2020 (Stay)**

MRS. DARSHANA

.....Petitioner

versus

UNION OF INDIA & ORS.

.....Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ankur Chibber & Mr. Yogesh Kumar,
Advocates

For the Respondents : Mr. Chetan Sharma, ASG with Ms. Archana
Gaur, CGSC, Mr. Akshay Gadeock & Mr.
Sahaj Garag, Advocates for UOI

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

J U D G M E N T

SIDDHARTH MRIDUL, J. (Open Court – via Video Conferencing)

The present matter has been taken up for hearing by way of
Video Conferencing on account of COVID-19 pandemic.

1. The present writ petition filed under Articles 226 & 227 of the Constitution of India instituted on behalf of the petitioner prays as follows:-

- “i) A Writ of Certiorari calling for the records of the case and peruse the same;
- ii) Quash and set aside the Order/Judgment in OA No.824/2020 dated 21.07.2020 passed by Hon'ble CAT, PB, New Delhi;
- iii) Quash and set aside the Impugned transfer order dated 12.03.2020 passed by the Respondents qua the Petitioner.
- iv) Quash and set aside the Rejection order dated 04.06.2020 passed by the Respondents.
- v) Quash and set aside the relieving letter dated 31.07.2020.
- vi) Direct the respondents to appropriately hold an inquiry on the complaint made by the Petitioner as per case of *Vishakha & Ors. V. State of Rajasthan and Ors.: (1997) 6 SCC 241* as set out the guidelines and norms for due observance at work places and action to be taken against Respondent No.4 (Mr. Manas Chakarvarty) and Respondent No.5 (Capt. Piyush Badoni).
- vii) Cost of the proceedings be awarded in favour of the Petitioner and against the Respondents.”

2. Subsequent upon the institution of the present writ petition, the complaint of sexual harassment made on behalf of the petitioner has concluded in an inquiry/investigation report on 28.08.2020 and an appeal therefrom, which we are informed at the Bar, now stands dismissed by the appellate authority vide order dated 06.10.2020.

3. In view of the foregoing, Mr. Ankur Chibber, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this writ petition with liberty to assail the aforesaid inquiry/investigation dated 28.08.2020 as well as the order rejecting her appeal against the said report passed by the appellate authority vide order dated 06.10.2020.

4. Leave and liberty granted.

5. The writ petition is dismissed as withdrawn and disposed of accordingly. All pending applications also stand disposed of accordingly.

**SIDDHARTH MRIDUL
(JUDGE)**

**TALWANT SINGH
(JUDGE)**

NOVEMBER 19, 2020

‘AA’/dn

[Click here to check corrigendum, if any](#)