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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5376/2020, CM APPL. 19377/2020 & CM APPL.
19378/2020

RAKESH GOYAL

..... Petitioner

Through: Mr. Sumant De, Advocate.
Ms. Amrita Chatterjee, Advocate (D-
4088/2010) with Rakesh Goyal –
petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

.... Respondents

Through: Mr. Ajay Arora, SC for SDMC with
Mr. Mukesh Gupta and Achint
Kumar, Advocates.
Ms. Warisha Farasat and Mr. Shourya
Dasgupta, Advocates for R-2/SHO.
Mr. Sunil Fernandes, SC for BSES
RPL with Mr. Shubham Sharma,
Advocate for R-4.
R-5 & R-6 in person.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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18.08.2020

The hearing was conducted through video conferencing.

1. When the matter was called out in the morning, Ms. Amrita Chatterjee, Advocate, stated that she had instructions from Mr. Rakesh Goyal, the petitioner, to the effect that he had not filed this petition and he would not like it to be pursued in his name; therefore

he would like to withdraw it. The petitioner states that he has not met the counsel who has filed the present writ petition or anybody from his office. He further claims that he has neither signed the *vakalatnama*, nor any other documents, authorising any counsel to file this writ petition.

2. Mr. Sumant De had insisted that he is the Advocate on Record and would like to argue the case. In the morning, an opportunity was granted to him to obtain instructions. In the post-recess session, he states that he is not been able to contact the petitioner.
3. The petitioner has appeared through a video link, courtesy Ms. Amrita Chatterjee, Advocate, who identifies him. He states that the Aadhaar Card at page 35, Annexure P-1 of the writ petition, belongs to him but he has not authorised Mr. Sumant De or his office to file the present writ petition.
4. Mr. De submits that he was introduced to and asked to represent Mr. Rakesh Goyal through one Mr. Avatar Singh Chahal and one Mr. Dalraj Dhankar. This is a most unfortunate development. A greater degree of diligence and caution is expected of counsel, apropos who was briefing and instructing in a case. The learned counsel for the petitioner tenders his apology at the confusion caused and seeks leave to withdraw the present writ petition. Accordingly, the writ petition, is dismissed as withdrawn.
5. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J

AUGUST 18, 2020/AB