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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 18.08.2020

W.P.(C) 5379/2020

DR. A.K.JHA

.....Petitioner

versus

GOVT. OF NCT OF DELHI AND ORSRespondents

Advocates who appeared in this case:

For the Petitioner : Dr. Vijendra Mahndiyan and Ms.Pallavi Awasthi,
Advocates.

For the Respondents : Mrs. Avnish Ahlawat, Standing Counsel for GNCTD
with Mr.Nitesh Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

J U D G M E N T

SIDDHARTH MRIDUL, J. (via Video Conferencing)

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

CM APPL.19382/2020 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

CM APPL.19382/2020 (Exemption)

The present application under Section 151 of the Code of Civil
Procedure, 1908 has been filed on behalf of the applicant/appellant

seeking exemption from filing attested affidavits in support of the accompanying appeal, as well as, applications.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/appellant is allowed to file the duly signed and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court.

With the above directions, the present application is disposed of.

W.P.(C) 5379/2020 & CM APPL.19383/2020 (Interim relief)

1. After lengthy arguments, Dr. Vijendra Mahndiyan, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty to file a representation, assailing the report submitted by the Enquiry Officer dated 21.10.2019, before the Disciplinary Authority, in accordance with law.

2. Leave and liberty granted.

3. If the petitioner files the requisite representation impugning the report of the Enquiry Officer dated 21.10.2019 before the Disciplinary Authority within two weeks from today, the latter shall consider the same in accordance with the Rules, expeditiously and pass a reasoned

order thereupon after affording an opportunity to the petitioner of being heard in person within eight weeks thereafter, under intimation to latter.

4. Needless to state that it shall be open to the petitioner to raise all legal issues as are available to him in his representation, as well as, in the personal hearing afforded to him, before the Competent Authority.

5. No further directions are called for.

6. With the above directions, the writ petition is disposed of. The pending application also stands disposed of.

7. A copy of this order be provided to the learned counsel for the parties electronically and be also uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

AUGUST 18, 2020

dn/mr

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