

\$~6 (2019)

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

%

Date of decision: 11.11.2021

+ **W.P.(C) 1224/2019, CM APPLs. 5497/2019 and 11611/2019**

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI AND ANR. Petitioners

Through: Mr. Vivek Gurnani, Advocate for
Mr. Zoheb Hossain, Standing
Counsel.

versus

RAJIV KUMAR KHANNA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[Court hearing convened *via* video-conferencing on account of COVID-19]

RAJIV SHAKDHER, J. (ORAL) :

1. There is no representation on behalf of the respondent.
2. However, Mr. Vivek Gurnani, who appears on behalf of the petitioners, draws our attention to the order dated 03.04.2019.

2.1 The relevant part of the said order reads as follows:

*“.....Since the impugned order has been passed in ignorance of our decision in **Govt. of NCT of Delhi Vs. Dr. Rishi Anand**, WP(C) No. 8134/2017, the same is set aside. The petitioner should endeavour to complete the inquiry within the aforesaid period and the respondent is directed not to take any due adjournments or delay the proceedings in any way.*

Interim orders to continue...”

2.2. We are informed that, since then, the inquiry proceedings have been

concluded, and penalty has been imposed on the respondent.

3. In these circumstances, it appears that nothing survives in the instant writ petition, if at all, possibly, a fresh cause of action may arise in favour of the respondent.

4. Therefore, the writ petition is disposed of, with liberty to the respondent, to take recourse to an appropriate remedy, albeit, as per law.

4.1. Resultantly, the interim order dated 05.02.2019 shall stand vacated. Pending applications shall also stand closed.

5. A copy of the order passed today will be dispatched by the Registry to the respondent as well as the counsel-on-record for the respondent.

6. The case papers shall stand consigned to record.

(RAJIV SHAKDHER)
JUDGE

(TALWANT SINGH)
JUDGE

NOVEMBER 11, 2021

tr

Click here to check corrigendum, if any