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

+ **W.P.(C) 27/2023 & CM APPL. 41122/2024**

VARUN KUMAR

.....Petitioner

Through: Mr. Parveen Kumar Aggarwal,
Advocate.

versus

COAL INDIA LIMITED & ORS.

.....Respondents

Through: Mr. Arindam Ghose and
Ms. Sharanya Bhatnagar, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **13.09.2024**

1. This writ petition has been filed on behalf of the Petitioner seeking the following reliefs:-

a) To issue appropriate Writ, order or direction, directing the Respondent to review the ACR/PRIDE of the Petitioner for the year 2013-2014 and consider the Petitioner for promotion w.e.f. 28.06.2017, along with subsequent promotion to E-5 Grade (at par with batchmates), notional seniority and pay fixation with all consequential benefits to secure the ends of justice;

b) To issue Writ, order or direction setting aside of Order dated 06.12.2021 & Circular No. CIL/ C5A(V)/ CRC/Review/3849 dated 30.01.2014 of Respondent no. 1 it being against the constitutional mandate;

2. A preliminary objection has been raised by the Respondents on the maintainability of this petition on the ground that this Court lacks the territorial jurisdiction to entertain this petition. Reliance is placed on a judgment of this Court in **Dr. Rakesh Dwivedi v. Coal India Ltd. through The Chiarman-cum-MD & Ors., W.P.(C) 7249/2017, decided on 19.05.2021**, against which the Appeal before the Division Bench was disposed of by a consent order.

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3. After canvassing some arguments, learned counsel, on instructions from the Petitioner who is present in Court, seeks to withdraw this writ petition with liberty to approach the appropriate forum having jurisdiction in the matter.

4. Petition is disposed of with liberty as prayed for making it clear that this Court has neither entered into nor expressed any opinion on the merits of the case. Pending application also stands disposed of.

5. Needless to state that if any objection is raised in the appropriate Court having jurisdiction, on delay and laches, the fact that Petitioner had approached this Court in 2023 may be taken into consideration.

JYOTI SINGH, J

SEPTEMBER 13, 2024/shivam

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