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

+ **W.P.(C) 7165/2024**

CHARANJEET SINGH CHANDERPAL

.....Petitioner

Through: Mr. Anil Kumar, Advocate with
Petitioner in person.

versus

VED PRAKASH SHARMA & ORS.

.....Respondents

Through: Appearance not given by R-4.
Mr. Ripu Daman Bhardwaj, CGSC
with Mr. Abhinav Bhardwaj, GP for
UOI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **25.11.2024**

CM APPL. 68685/2024 (for exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

CM APPL. 68684/2024 (on behalf of R-4 for recall of order dated 28.05.2024)

4. Through this application, Respondent No. 4/ Applicant seeks recall of order dated 28th May, 2024. The case of the Applicant is that on 28th May, 2024, he was not aware of the listing of the present petition. For this reason, he could not appear before this Court and in absence thereof, the Petitioner obtained the order of 28th May, 2024. It is further urged that the Applicant became aware of the aforementioned order upon participating in the hearing before the Bar Council of India.



5. The Applicant urges that no person can obtain an order from the Court with a *mala fide* and dishonest intention. He further submits that the Petitioner, after withdrawing the instant petition, has been filing multiple applications and petitions, which constitutes an abuse of process of law.

6. The Court has considered the aforementioned contentions, but does not find any merit in the same. The order sought to be recalled reads as follows:

“1. After some arguments, the Petitioner who appears in person, seeks permission to withdraw the present writ petition. Permission is granted.

2. The writ petition is disposed of as withdrawn, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case. All rights and contentions of all the parties are left open.

3. It is made clear that all the issues raised by the Petitioner in the instant writ petition, including the question of limitation raised by the Petitioner are kept open for the Petitioner to raise before the Bar Council of India which the Bar Council of India will consider in accordance with law.”

7. The aforementioned order makes it amply clear that the writ petition was disposed of as withdrawn, effectively indicating that the Court has not given any opinion on the merits of the case. In fact, this was also expressly stated in Paragraph No. 2 of the said order, with a further observation that all rights and contentions of the parties are left open.

8. Further, the Court emphasised that all the questions urged by the Petitioner have to be considered by the Bar Council of India in accordance with law, which is evident from Paragraph No. 3 of the order.

9. In light of the foregoing, in the opinion of the Court, no prejudice has been caused to the Applicant, even if he was not aware of the listing of the present petition on 28th May, 2024.



10. Accordingly, the Court finds no ground to recall of the order dated 28th May, 2024, and the application is dismissed.

SANJEEV NARULA, J

NOVEMBER 25, 2024

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