



\$~44

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

+ **W.P.(C) 8522/2024**

RUCHI SOLANKI

..... Petitioner

Through: Mr. Sandeep Sharma, Mr. Nishant Solanki and Ms. Kanchan Semwal, Advocates.

versus

GNCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Prashant Manchanda, ASC with Ms. Nancy Shah, Mr. Vishal and Ms. Paruni Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

%

31.05.2024

CM APPL. 34990/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 8522/2024

1. The Petitioner has approached this Court with the following prayers:-

“A. Issue a Writ in the nature of Mandamus or issue orders /directions, whereby directing the Ld. Trial Court to expeditiously decide the application in time bound manner moved by the petitioner .i.e. within a week or so by recalling of the order dated 14.10.2023 and further grant permission to the petitioner to take the minor child abroad without any delay or latches, in the interest of justice, and/or.

B. Grant permission in favour of the Petitioner to take the minor child to USA during summer vacation, and/or



C. Pass any other order or direction as deemed fit and proper in the interest of justice.”

2. When this Court pointed out to the learned Counsel for the Petitioner that the petition should be ideally one under Article 227 of the Constitution of India and not under Article 226 of the Constitution of India, learned Counsel for the Petitioner seeks permission to withdraw the present petition under the Article 226 of the Constitution of India of India with liberty to file a petition under Article 227 of the Constitution of India.
3. Permission and liberty, as prayed for, is granted.
4. Looking at the urgency of the matter, the Petitioner is permitted to file a petition under Article 227 of the Constitution of India and the matter be listed before the Vacation Bench.
5. The petition is disposed of as withdrawn along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

MAY 31, 2024

hsk