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

+ **LPA 852/2024 & CM APPL.49981/2024**

ADARSH KUMAR HANDA

.....Appellant

Through: Appellant-in-person.

versus

GOVERNMENT OF NCT OF DELHI AND ORSRespondents

Through: Mr.Sanjay Kumar Pathak, Standing Counsel with Mr.Sunil Jha, Mr.Mayank Madhu and Mr.Mayank Arora, Advocates for R-1 and 3. Mr.Anuj Chaturvedi, Advocate with Ms.Harshita Maheshwari, Advocate for DDA.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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30.08.2024

1. Present letters patent appeal has been filed challenging the order dated 26th July, 2024 passed by the learned Single Judge of this Court in W.P. (Crl.) 2236/2024, whereby the writ petition filed by the Appellant, seeking registration of FIR against respondent No. 3-Ajay Kumar for offences under Sections 201/216/217 of the Bhartiya Nyaya Sanhita, 2023 (BNS) for filing an allegedly false counter-affidavit in W.P.(C) 4801/2018 and action against respondent No. 4-DDA under Sections 210/211 of the BNS for not filling a counter affidavit in W.P.(C) 4801/2018, was dismissed.



2. It is settled law that letters patent appeal is not maintainable against an order disposing of a criminal writ petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C. (See: *C.S.Agarwal Vs. State & Ors., 2011 SCC OnLine Del 3136* and *Ram Kishan Fauji Vs. State of Haryana and Others, (2017) 2 SCC 533*).

3. Accordingly, the present appeal and application are dismissed as not maintainable.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

AUGUST 30, 2024

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