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

+ **W.P.(C) 16722/2023**

SANTOSH DEVI

..... Petitioner

Through: Mr. Rajeev Kumar Dubey, Advocate.

versus

UNION PUBLIC SERVICE COMMISSION & ANR.

..... Respondents

Through: Mr. Rakesh Kumar, CGSC with Mr. Sunil, Advocate for UOI/R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

06.02.2024

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1. The present writ petition under Articles 226 and 227 of the Constitution of India seeks to assail the order dated 07.12.2023 passed by the learned Central Administrative Tribunal in O.A. 2208/2023. Vide the impugned order, the original application preferred by the petitioner has been dismissed as withdrawn with liberty to her to take action in accordance with law.

2. For the sake of clarity, we may note para 7 of the impugned order, which reads as under:

“7. In view of the categorical statement made by the learned counsel for the applicant, the O.A. stands dismissed as withdrawn, of course, with liberty to the applicant in accordance with law.”

3. When faced with the query as to how the petitioner could be permitted to challenge the impugned order, when she had herself



withdrawn the O.A., learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition.

4. The writ petition is, accordingly, dismissed as withdrawn.

5. Needless to state that withdrawal of the present petition will not preclude the petitioner from availing of the liberty granted to her under the impugned order dated 07.12.2023.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 6, 2024

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