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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 188/2026 & CM APPLs. 20814/2026 & 20816/2026
SUDHIR KUMARAppellant

Through: Mr. Jai Prakash, Adv. along with
appellant in person.

versus

GAIL INDIA LIMITED & ANR.Respondents

Through: Mr. Ankur Chhibber, Adv. with
Mr. Nikunj Arora, Mr. Anshuman
Mehrotra and Mr. Amrit Koul, Adv.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER
02.04.2026

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CM APPL. 20815/2026 (for exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 20817/2026 (for delay in re-filing the appeal)

3. Heard the learned counsel for the parties.
4. This is an application moved on behalf of the appellant seeking condonation of 40 days delay in re-filing the appeal.
5. Having heard the learned counsel for the parties and for the averments made in the application, the same is allowed. The delay of 40 days in re-filing the appeal is hereby condoned.
6. The application stands disposed of.



LPA 188/2026 & CM APPLs. 20814/2026 & 20816/2026

7. Heard Sh. Jai Prakash, learned counsel representing the appellant, who has filed his *vakalatnama*. The said *vakalatnama* is taken on record. The appellant is also present in person.

8. Mr. Ankur Chhibber, learned counsel representing the respondents has also been heard.

9. After arguing at some length, learned counsel for the appellant as also the appellant states that the appellant may be permitted to withdraw this appeal with liberty to take appropriate remedy for challenging the order of dismissal from service, dated 16.06.2009.

10. Accordingly, the appeal is permitted to be withdrawn with the liberty as prayed for.

11. We may further observe that since the order of dismissal dated 16.06.2009 was not under challenge before learned Single Judge in *W.P.(C) 16806/2025*, any observation made by learned Single Judge in the impugned order in respect of the dismissal order, will have no bearing on the proceedings, if any, which may be instituted by the appellant challenging the order of dismissal. If any such proceedings before a Court or any Forum is instituted challenging the order of dismissal dated 16.06.2009, all the pleas which may be available to the parties concerned shall be open to be pressed.

12. The appeal along with pending application stands disposed in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

APRIL 2, 2026

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