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

+ W.P.(C) 8633/2023& CM APPL. 32752/2023& CM APPL.
32754/2022& CM APPL. 56301/2025
COL. SHAMSHER SINGH KINHA (RETD.)

Through: Mr. Dhananjay Shekhawat,
Advocates.Petitioner

versus

UNION OF INDIA & ORS.

Through: Ms. Purnima Maheshwari with Mr.
Mukul Aryan, Advocate for
respondent no. 4.Respondent
Mr. Bhagwan Sawrup Shukla CGSC
with Mukesh Kumar Pandey Ms.
Priya Diwedi, Advocates for UOI

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **18.03.2026**

1. During the pendency of the writ petition, the petitioner has become ineligible to carry out the work in question. The petitioner, however seeks for amendment of the petition seeking necessary damages on account of the conduct of the respondent being influenced by the private individual.
2. Having considered the overall conspectus and facts and situation, the Court finds that the nature of the relief sought in the instant petition will require adjudication on various disputed facts. The same is only possible when the parties are allowed to adduce evidence with the liberty to cross-



examine the witnesses being produced by them. The aforesaid exercise may not be appropriately conducted by the writ court under Article 226 of the Constitution of India.

3. At this stage, learned counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to take appropriate recourse in accordance with law including to challenge the impugned order.

4. With all these liberties, instant writ petition stands dismissed as withdrawn.

5. All rights and contentions of the parties are left open.

PURUSHAINdra KUMAR KAURAV, J

MARCH 18, 2026/ar