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

+ W.P.(C) 8006/2019

ALL INDIA SHORT SERVICE COMMISSIONED OFFICERS
WELFARE ASSOCIATION (AISSCOWA) Petitioner

Through: Mr. Arun Bhardwaj, Senior Advocate
with Ms. Pallavi Awasthi, Ms.
Gauraan and Mr. Abhishek Sharma,
Advocates

versus

UNION OF INDIA Respondent

Through: Mr. Nitinja Chaudhary, SPC for UOI
with Mr. Deepak Kumar, Advocate
Major Partho Katyayan

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **21.11.2022**

1. Counter affidavit filed by the respondent is lying under objections.
2. Learned counsel for the respondent on instructions submits that he wishes to withdraw the said affidavit which is not on record and seeks permission to file the same afresh.
3. However, Mr. Arun Bhardwaj, learned senior counsel for the petitioner has raised objection to this and submits that the respondent cannot withdraw the counter affidavit already filed which is lying under objection and can only file an additional counter affidavit. The said objection has been disputed by the learned counsel for the respondent.

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4. On this issue, parties are directed to file a brief note of written submissions not exceeding five pages with relevant documents/judgments on which they want to rely upon with relevant portion duly highlighted for the convenience of this Court within one week from today.
5. Renotify on this issue only 15.12.2022.

SURESH KUMAR KAIT, J

SAURABH BANERJEE, J

NOVEMBER 21, 2022/akr

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