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

+ W.P.(C) 13486/2018

BACHAN SINGH

..... Petitioner

Through Mr. Sarfaraz Khan with Mr. Mirza
Amir Baig, Advocates.

versus

FINANCIAL COMMISSIONER AND ORS. Respondents

Through Mr. Devesh Singh, ASC (C), GNCTD
with Ms. Sukriti Ghai and Ms. Urvashi
Tripathi, Advocates for R-1, 2 and 3.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **14.12.2018**

CM APPL. 52496/2018

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CM APPL. 52498/2018

For the reasons mentioned in the application, the delay in 90 days re-filing the appeal is condoned and the application is disposed of.

W.P.(C) 13486/2018 & CM APPL. 52497/2018

Issue notice. Ms. Urvashi Tripathi, Advocate enters appearance on behalf of respondent Nos. 1 to 3 and accepts notice.

The learned counsel for the petitioner has submitted that the Financial Commissioner passed an order in favour of the respondent No.4 dated 25.04.2018 in case No. 166/2018. He has further submitted that the said



order could have been modified or rectified only on the basis of the writ petition under Section 226 but respondent No. 4 instead of availing writ jurisdiction has filed a review petition which was beyond the scope of the Financial Commissioner.

In view of the submission made by the learned counsel for the petitioner, the impugned order dated 02.07.2018 passed by the learned Financial Commissioner in case No. 166/2018 is stayed till the next date.

Let notice be issued to the respondent No. 4 by all the modes prescribed, on the petitioner taking the necessary steps, returnable on 11.03.2019.

Copy of this order be given *dasti* to the counsels for the parties under the signature of Court Master.

I.S.MEHTA, J

DECEMBER 14, 2018

Pallavi