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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 6467/2017 & CM No.26779/2017

D.C. MISHRA

..... Petitioner

Through: Petitioner in person

versus

UNION OF INDIA & ORS

..... Respondent

Through: Mr. Varun Kumar, Advocate

CORAM: SH. LORREN BAMNIYAL, REGISTRAR

ORDER

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21.03.2018

Respondents have not filed the counter affidavit despite last and final opportunity having been granted by the Hon'ble Court on 02.11.2017 and further opportunity granted vide order dated 18.01.2018. Learned counsel for the respondents today submits that the concerned dealing assistant is on medical leave, hence, they are not in a position to trace the file, for which reason, counter affidavit could not be filed. Non-availability of an employee on medical grounds cannot be a ground for non-filing of counter affidavit despite ample opportunity. Accordingly, in terms of order dated 02.11.2017, the right of the respondents to file the counter affidavit is closed.

List the matter before the Hon'ble Court on the date already fixed i.e. 30.03.2018.

REGISTRAR

MARCH 21, 2018/vk