

Dr. Pragya Bhawsar Vs. Union of India

CWP No.2863 of 2021

26.08.2022 Present: Mr. B.C. Negi, Sr. Advocate, with Mr. Sanjay Dalmia, Advocate, for the petitioner.

Mr. Lokender Paul Thakur, Senior Panel Counsel, for respondent No.1.

Mr. Suneet Goel, Advocate, for respondent No.2.

CMP No.11444 of 2022

By way of this application, the applicant/petitioner seeks leave to amend the Writ Petition in terms of the proposed amendments as stand incorporated in the application, on the ground that as these are subsequent events, therefore, the same could not have been incorporated in the petition at the time when the petition was filed and otherwise also it will be in the interest of justice in case proposed amendments are allowed so that the subsequent developments can be brought on record.

The application is opposed by the non-applicants, *inter alia*, on the ground that on the same ground earlier also an application filed under Order 6, Rule 17 of the Code of Civil Procedure, in which some of

the teaching faculties of the respondent/Institute were also named and there is no change in the said application save and except that their names are not now mentioned in the application though the allegations are verbatim to the same.

In rebuttal, it is stated on behalf of the applicant that though it is a fact that earlier also an application filed under Order 6, Rule 17 of the Code of Civil Procedure, but the same was permitted to be withdrawn by the Court, with liberty to file a fresh application on the same cause and it is exactly what has been done.

I have heard learned counsel for the parties and have through the application as well as the proposed amendments.

As it is not in much dispute that what is being sought to be incorporated by way of amendments are subsequent events, this Court is of the considered view that it will be in the interest of justice in case the application is allowed. Accordingly, the application is disposed of by permitting the applicant/petitioner to

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incorporate the amendments as stand mentioned in the application.

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Amended Writ Petition is ordered to be taken on record. The documents appended with the main petition are ordered to be transposed with the amended Writ Petition. Reply to the amended petition be filed within four weeks.

As prayed for, list on **29.09.2022**.

(Ajay Mohan Goel)
Judge

August 26, 2022
(Rishi)