

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12184/2009
(From the judgement and order dated 10/09/2008 in WP No.
5129/2008 of The HIGH COURT OF DELHI AT N. DELHI)

YADU LAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for amendment of the petition,directions,permission
to place addl. documents on record and office report)

Date: 31/01/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Raju Ramachandran, Sr. Adv.
Mr. Himanshu Munshi, Adv.

For Respondent(s) Mr. H.P. Rawal, ASG
Mr. Ashok Bhan, Adv.
rrs. 1 to 3 & 5 Ms. Savitri Pandey, Adv.
Mr. R.S. Nagar, Adv.
Mr. Harsh N Parekh, Adv.
Mr. Anirudh Sharma, Adv.
Mr. D.S. Mahra, Adv.

rrs. 6 Mr. P.P. Malhotra, ASG
Ms. Asha G Nair, Adv.
Mr. Shalender Sharma, Adv.
Mrs Anil Katiyar ,Adv

rr.4 Mr. Ashok Arora, Adv.
Dr. Sushil Balwada, Adv.

UPON hearing counsel the Court made the following
O R D E R

In deference to our order dated 11th January,
2011, an affidavit has been filed on behalf of
respondent No. 6 by Mr. Rajendra Kumar, Secretary,

..2/-

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Department of Health & Family Welfare, Government of
National Capital Territory of Delhi, New Delhi.

In the

said affidavit, it is stated that the officers present
in Court on 10th September, 2010 had misunderstood the
purport of the proceedings held on that date, with the
result that they put up an erroneous note in respect of
the said proceedings. It is further stated that order
dated 13th September, 2010, giving a posting to the
petitioner, was issued on account of the said
misunderstanding and incorrect recording of the
proceedings. While expressing regrets for the said
lapse and tendering unconditional and sincere apology
for the said act, the deponent has stated that order
dated 13th September, 2010, has since been cancelled and
treated as null and void vide order dated 21st January,
2011 and fresh order of even date has been issued.

We

accept the sincere apology tendered by the Secretary and close the issue with regard to issue of order dated 13th September, 2010.

At this stage, Mr. Raju Ramachandran, learned senior counsel appearing for the petitioner seeks leave to withdraw the petition stating that the petitioner would like to institute appropriate proceedings at an appropriate forum insofar as his posting is concerned. Accordingly, the special leave petition is dismissed as withdrawn.

It goes without saying that we have not expressed any opinion on the merits of the contentions raised in the present special leave petition. As and when the petitioner takes recourse to any proceedings, the same

..3/-

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shall be considered on its own merits in accordance with law.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master