

Court No. - 1

Case :- WRIT - A No. - 9549 of 2023

Petitioner :- Union Of India Thru. Secy. Ministry Of Home Affairs, Govt. Of India , New Delhi

Respondent :- Vipin Kumar Mishra And Others

Counsel for Petitioner :- Varun Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard Sri S.B. Pandey learned Deputy Solicitor General of India assisted by Sri Varun Pandey learned counsel for the Union of India and learned Standing Counsel for the State.

2. By means of this writ petition, the Union of India has assailed the order dated 15.11.2021 passed by the Central Administrative Tribunal, Lucknow Bench, Lucknow in Original Application No. 322/00356/2021, whereby, the pending representation made by the respondent no. 1 has been directed to be decided by a reasoned and speaking order within a period of six weeks from the date of receipt of a certified copy of the order.

3. The representation appears to have been made in the light of the judgement of a co-ordinate Bench of the Central Administrative Tribunal which was applicable to the case of respondent no. 1 as well.

4. Normally such orders being innocuous are not

assailable.

5. We fail to understand as to what has prompted the Union of India to approach this Court against such an innocuous relief granted in favour of an aggrieved party. The Union of India ought not to have misused the public fund.

6. Taking a lenient view, the writ petition arising out of the order impugned is hereby dismissed with a note of caution.

Order Date :- 20.12.2023
kanhaiya