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

+ W.P.(C) 6189/2015

NEERAJ AGRAWAL

..... Petitioner

Through : Mr.Shwetank Shantanu, Mr.Pratap
Shanker and Ms.Shivani Arya Somyajula,
Adv.

versus

UNION OF INDIA & ANR

..... Respondents

Through : Mr.Rakesh Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **01.07.2015**

CM APPL.NOS. 11246-47/2015.

1. Exemptions allowed subject to all just exceptions.
2. Applications stand disposed of.

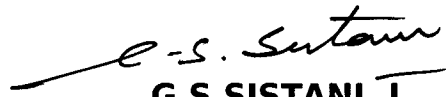
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3. Learned counsel for the petitioner submits that two extremely important aspects, which go to the root of the matter, i.e. (i) noting of the Ministry of Defence dated 14.7.2006, as per which, it was recommended that there was no *prima facie* evidence of financial loss to the Government nor there was any pecuniary gain to the officials involved and the irregularities are only in the nature of procedural lapses; and further (ii) noting dated 29.9.2011 has also discussed and analysed the representation of the petitioner herein in the following terms, have not been considered by the Central Administrative Tribunal.
4. Learned counsel for the petitioner submits that in view of the aforesaid two internal notings, the punishment awarded to the petitioner cannot be sustained.

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submits that he does not wish to press the present petition with leave to file a review petition within three weeks from today before the Central Administrative Tribunal.

6. Learned counsel for the respondents, who enters appearance on an advance copy, submits that subject to the petitioner filing review petition within three weeks from today, he would not raise the plea of limitation in filing the review petition before the Central Administrative Tribunal.
7. Accordingly, present writ petition stands dismissed as not pressed. In case the petitioner files the review petition within three weeks from today, the respondent shall not raise the plea of limitation, as agreed.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

JULY 01, 2015
msr

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