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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 7085/2015

% *Judgment dated 28th July, 2015*

RAJESH NIGAM & ANR. Petitioners

Through : Mr.Sumit Jidani, Advocate

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

.....Respondents

Through : Mr.D.S. Mahendru, Advocate for
respondent no.1.

Ms. Punam Singh & Mr. Kumar Rajesh
Singh, Advocates for respondent no.3.

Mr. Naresh Kaushik, Advocate for
respondent no.4.

Mr. Raman Duggal, Advocate for
respondent no.5.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J (ORAL)

CM APPL. 12981/2015

1. Exemption allowed subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 7085/2015 & CM.APPL 12980/2015(stay)

3. Notice to the respondents to show cause as to why *Rule nisi* be not issued.
Counsel for the respondents accept notice.
4. Aggrieved by the order dated 26.05.2015 passed by the Central
Administrative Tribunal(CAT), the present writ petition has been filed. Counsel

for the petitioners submits that the petitioners are aggrieved by the respondents' Notification dated 17.06.2013 whereby they backtracked their own Resolution bearing no.569 vide business no.161 dated 14.01.2008 despite the order of the Tribunal dated 13.05.2009 which was subsequently confirmed by the High Court vide its order dated 15.07.2010. Counsel for the petitioners submits that a bare perusal of the impugned order would show that the order is cryptic in nature as none of the contentions and grounds raised by the petitioners have been examined and dealt with by the Tribunal.

5. At this stage, all parties agree that the impugned order dated 26.05.2015 be set aside and the matter be remanded back to enable the Tribunal to hear the matter afresh.

6. List the matter before the Tribunal on 5th August, 2015. The Tribunal would endeavour to hear the stay application of the petitioners at the first instance as expeditiously as possible.

7. Present Writ Petition along with all applications are disposed of.

8. Copy of the order be given dasti under the signatures of the Court Master.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

JULY 28, 2015

gr/pst