

\$~29

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8176/2015**

Date of Decision : 26.08.2015

UNION OF INDIA AND ORS. Petitioners
Through : Mr. Jagjit Singh and Mr. Ashok
Singh, Advocates for UOI.

versus

A.K. TIWARI AND ORS. Respondents
Through : Ms. Meenu Mainee, Advocate for
private respondents.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G. S. SISTANI, J. (ORAL)

1. Present writ petition has been filed by the petitioners under Article 226 of the Constitution of India seeking issuance of a writ of certiorari or any other appropriate writ thereby to set aside the order dated 22.04.2014 passed by the Central Administrative Tribunal, Principal Bench in O.A. No.755/2012 and the Order dated 26.05.2015 passed in Review Application No.158/2014 in O.A.No.755/2012.
2. In this case, the respondents herein had approached the Central Administrative Tribunal being aggrieved by the impugned order by which, out of 42 vacancies for the post of Passenger Guard in the pay scale of Rs.9300-34,800/- plus Rs.4,200/- grade pay, as many as 18 vacancies have been sought to be filled by giving reservation to the candidates belonging to Scheduled Caste and

Scheduled Tribe categories. The Central Administrative Tribunal by a detailed judgment has allowed the Original Application filed by the respondents herein.

3. It is not disputed before us that the order passed by the Central Administrative Tribunal was challenged by the petitioners herein by filing W.P.(C)No.1303/2015 in the Delhi High Court. The said writ petition was dismissed by a Division Bench of this Court on 10.2.2015 which order has attained finality.
4. We find no reason to take a different view other than the view taken by the Division Bench in W.P.(C)No.1303/2015. Accordingly, there is no merit in this writ petition and for the reasons stated in the detail judgment passed in W.P.(C)No.1303/2015 on 10.2.2015, present writ petition stands dismissed.

CM APPL. No. 17081/2015 (Exemption and 17082/2018 (Stay)

5. Applications stand dismissed in view of the order passed in the writ petition.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

AUGUST 26, 2015

gr