

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.22310 of 2016 (O&M)
Date of decision: November 22, 2016

Tej Singh

....Petitioner

versus

Central Administrative Tribunal, Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. A.L. Vohra, Advocate for the petitioner.

Mr. Vivek Singla, Advocate for the respondents.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner has approached this Court by way of instant writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned order dated 20.09.2016 (**Annexure P-5**) whereby MA No.060/00854/2016 for listing the original Application No.060/00420/2015 filed by the petitioner was dismissed by the Central Administrative Tribunal, Chandigarh (in short 'the CAT').

2. It was submitted by learned counsel for the petitioner that similar matters had already been adjudicated by the CAT and have been decided in favour of the applicants therein. It was urged that in such circumstances, when there is no interim order passed by the High Court against the said decision of the CAT, there is no justification for not deciding the subject matter of present petition by the CAT and dismissing the application for fixing the case for actual date of hearing.

3. On the last date of hearing, learned counsel for the respondents had taken time to seek instructions. He states that the respondents have no objection for listing of the case for final hearing before the CAT.

4. After hearing learned counsel for the parties, we find that the prayer made by the petitioner in the instant writ petition is justified and the CAT was not right in rejecting the application for fixing the case for hearing. Accordingly, the petition is allowed and the impugned order dated 20.09.2016 (**Annexure P-5**) is set aside and the CAT shall proceed with the case on merits and decide the same on or before 28.02.2017 in accordance with law.

5. In view of disposal of the main petition, Civil Misc. No.13764 of 2016 for placing on record the additional document as Annexure P-4 has become infructuous and the same is disposed of as such.

(AJAY KUMAR MITTAL)
JUDGE

November 22, 2016
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No