

\$~R-8B

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

+ W.P.(C) 5450/2007

MANOJ KUMAR SHARMA Petitioner

Through Mr. Naresh Kaushik, Advocate

versus

U.O.I. & ORS. Respondents

Through Ms. Meera Bhatia, Advocate

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **15.11.2016**

1. The present petition is directed against the order dated 24.05.2006 passed by the Central Administrative Tribunal(hereinafter referred to for short as 'the Tribunal') by which the OA No.1848/2004 filed by the petitioner herein stands dismissed.
2. Mr. Naresh Kaushik, learned counsel for the petitioner has drawn the attention of the Court to the impugned order. He submits that by the impugned order while deciding the OA filed by the petitioner, three other OAs were also taken up for consideration. He submits that reading of the impugned order would show that none of the grounds raised by the petitioner were dealt with by the Tribunal. The Tribunal has only dismissed the OA on the ground that the case of the petitioner is not similar to the case of other three persons as stated by the petitioner. He also submits that the finding reached by the Tribunal is contrary to the record. Mr. Kaushik submits that assuming for the sake of argument that the Tribunal has reached such a conclusion, the other grounds should have

also been decided.

3. In these circumstances, with the consent of the counsel for the parties, we set aside the impugned order dated 24.05.2006 with regard to the petitioner alone and remand the matter back to the Tribunal to decide on the existing pleadings. Parties to appear before the Tribunal on 25.11.2016. The matter would be decided by the Tribunal as expeditiously as possible preferably within three months from today.
4. The petition stands disposed of.

G.S.SISTANI, J

VINOD GOEL, J

NOVEMBER 15, 2016

pst

