

\$~16

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

+ W.P.(C) 5045/2012

S.K.SRIVASTAVA Petitioner

Through : Mr. S.K. Gupta, Advocate.
Petitioner in person.

versus

UNION OF INDIA AND ORS Respondents

Through : Mr. Ajay Diggpaul, CGSC for UOI with
Ms. Nandita Mishra, Advocate for R1.
Mr. Rajesh Katyal, Advocate for R2-8.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **03.08.2016**

Challenge in this writ petition is to the order dated 14.11.2011 passed by the Central Administrative Tribunal and the order dated 07.12.2011 passed in the review petition by which the OA as also the review petition filed by the petitioner stand dismissed.

Mr. S.K. Gupta, learned counsel for the petitioner on instructions from the petitioner, who is present in court submits that the petitioner does not wish to press the present petition in view of the directions issued by the Tribunal in para 21 of the impugned order. Mr. Gupta submits that the petitioner is however, aggrieved by certain observations made by the Tribunal against the petitioner which were based on previous orders and in the absence of any arguments or material placed on record before the Tribunal, the Tribunal should not have reiterated the observations made in the earlier orders. Mr. Gupta also seeks a clarification that by withdrawing the petition, it may not be treated that the legal pleas which have been raised by him would also stand withdrawn for the reason that *inter se* proceedings between the parties are still pending.

Heard counsel for the parties.

As prayed, the writ petition is dismissed as not pressed.

It would be open for the petitioner to raise all the legal pleas as may be available to him in accordance with law at the appropriate stage. The respondents would however, abide by the directions issued by the Tribunal in para 21 of the impugned order.

CM No. 10343/2012 (stay)

In view of the order passed in the writ petition, this application also stands disposed of.

G.S.SISTANI, J

I.S.MEHTA, J

AUGUST 03, 2016

j/pst /

W.P.(C) 5045/2012

2/2