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

+ **W.P.(C) 5955/2016**

CHANDAN KUMAR AND ORS

..... Petitioners

Through : Mr. Anuj Aggarwal, Mr. Tanzing Thinlay,
Mr. Shoaib Akhtar, Advocates.

versus

**DELHI SUBORDINATE SERVICE SELECTION BOARD (DSSSB)
AND ORS**

..... Respondents

Through : Mr. Santosh Kumar Tripathi, Additional
Standing Counsel for GNCTD/R2 & R3.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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15.07.2016

CM No. 24538/2016

Exemption allowed subject to all just exceptions.

This application stands disposed of.

W.P.(C) 5955/2016

Grievance of the petitioners is that the Central Administrative Tribunal (CAT) has not decided the matter on merits, but has issued a direction to the respondent to consider the legal notice dated 8th March, 2016 and pass an appropriate speaking order within a period of two months from the date of receipt of the order. Learned counsel for the petitioners prays that the matter be remanded back to the Central Administrative Tribunal (CAT) to be decided on merits.

Notice. Learned counsel for the respondents accepts notice and submits that the Tribunal had taken into account that a detailed legal notice dated 8th March, 2016 had been issued to the respondents alleging therein that they have been wrongly denied appointment to the post of Special Education Teacher. The Tribunal was of the view that since no reply has been received, the respondents should pass an appropriate and speaking order based on the legal notice within two months.

Mr. Anuj Agarwal, learned counsel for the petitioner submits that this order was passed on 22nd March, 2016 and almost three months have passed but no reasoned order has been received so far. He prays that the matter be remitted back to Tribunal for hearing on merits.

Since the order of the Tribunal has not been complied with despite two months having been granted to respondents, we deem it appropriate to remand the matter back to the Tribunal for hearing the same on merits.

The instant writ petition is disposed of in the above terms.

The parties are directed to appear before the Tribunal on 4th August, 2016.

G.S.SISTANI, J

I.S.MEHTA, J

JULY 15, 2016

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