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

+ **W.P.(C) 8298/2016**

KRISHNA KUMAR SINGH

..... Petitioner

Through Mr. M.K. Bhardwaj and Mr. Shriambhra
Kashyap, Advocates

versus

UNION OF INDIA AND ORS

..... Respondents

Through Mr. Sushil Kumar Pandey, G.P. and Mr.
Mayank Mishra, Advocates for
Mr. Anurag Ahluwalia, CGSC

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

% **19.09.2016**

CM.APPL 34347/2016(Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C). 8298/2016 & CM.APPL No.34356/2016

Challenge in this writ petition is to the order dated 05.09.2016 passed by the Central Administrative Tribunal(hereinafter referred to for short as 'the Tribunal') by which the OA filed by the petitioner challenging the order of transfer has been dismissed.

Mr. Bhardwaj, counsel for the petitioner, at the outset, points out that four identical matters are already listed before the Tribunal and the next date before the Tribunal is 16.11.2016. He submits that in somewhat identical matters being W.P.(C).Nos.3772/2016 and 3782/2016, another Division Bench of this Court had remanded the matters back to the Tribunal for hearing as the Tribunal had failed to take into account the details and particulars of several seniors, who had

been overlooked and the petitioner had been transferred.

Counsel for the respondents enters appearance on an advance copy.

We have heard the counsel for the parties. Having regard to the fact that in identical matters being W.P.(C).Nos.3772/2016 and 3782/2016, another Division Bench of this Court had remanded the matters back for fresh hearing, we set aside the impugned order and remand the matter back to the Tribunal for fresh hearing.

Parties to appear before the Tribunal on 16.11.2016.

We are informed that during the pendency of the OA, interim protection was granted to the petitioner. The interim protection so granted shall continue till the hearing of the OA or till such time the Tribunal modifies the order.

The writ petition is disposed of accordingly.

CM.APPL 34346/2016(direction)

The application stands disposed of in view of the order passed in the present writ petition.

G.S.SISTANI, J

I.S. MEHTA, J

SEPTEMBER 19, 2016

pst