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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8340/2015

SATYAVIR AND ANR

..... Petitioners

Through: Mr.Arun Bhardwaj, Advocate

versus

CHIEF SECRETARY GNCT AND ORS

..... Respondents

Through: Mr.Anuj Aggarwal and Ms.Niti Jain,
Advocates for R-1,2 and 3

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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24.08.2016

1. The petitioner is aggrieved by the order dated 28.10.2014 by which an application filed by the petitioner herein seeking impleadment in O.A. No.426/2005 was rejected.
2. The grounds of rejection find mentioned in paragraphs 32 and 33 of the impugned order dated 28.10.2014.
3. The learned counsel for the petitioner prays that paragraphs No.32 and 33 of the order dated 28.10.2014 be set aside and the petitioner should be impleaded as a party in the O.A. This prayer of the petitioner, in our view, has become infructuous as the O.A. already stands decided by the Tribunal.
4. At this stage, learned counsel for the petitioner submits that the petitioner would approach the Tribunal by filing an independent O.A., however, the observations made in paras 32 & 33 of the order would stand in his way. He points out that the petitioner had approached the Tribunal way back in the year 2003 and thereafter identically placed

persons have been granted the relief which has been declined to the petitioner herein only on the ground of delay. He further submits that he is placed on a better footing than those who had been granted the relief. Learned counsel for the petitioner submits that he would approach the Tribunal or seek such other remedy as available to him and would also explain the delay in approaching the Tribunal.

5. Without expressing any opinion on the merits of the matter, we grant the limited prayer to the petitioner. In case, an O.A. is filed, the O.A. shall be decided by the Tribunal unaffected by the observations made in the paragraphs 32 and 33 of the impugned order. All legal arguments of the parties are kept open.

6. The writ petition is disposed of in above terms.

G.S.SISTANI, J

I.S.MEHTA, J

AUGUST 24, 2016

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