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

+ W.P.(C) 12196/2015

UNION OF INDIA AND ORS.

..... Petitioner

Through Mr. Kirtiman Singh, CGSC with
Mr. Waize Ali Noor, Advocate.

versus

DURGA DUTT SAINI

..... Respondent

Through Mr. E.J. Verghese, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **11.02.2016**

Learned counsel for the petitioner has submitted that the press note relied upon in the impugned order dated 20th May, 2015 passed by the Tribunal is factually incorrect and he has drawn our attention to the gazette notification issued by the Ministry of Finance dated 29th August, 2008, regarding implementation and enforcement of the Sixth Central Pay Commission. In particular, he has drawn our attention to sub-para (x)(c). Learned counsel for the respondent, on the other hand, relies upon sub-para (b) to para (x). Learned counsel for the respondent also submits that they had

raised the question of parity and equal treatment with officers from Railway Accounts Services etc.

During the course of hearing, learned counsel for the parties jointly state that the matter may be remitted to the Tribunal for fresh consideration as the aspects raised by the parties have not been examined and considered.

Having gone through the impugned order, we accept the prayer made by the learned counsel for the parties. Impugned order dated 20th May, 2015 is accordingly set aside with a direction that the Tribunal will consider the matter afresh without being influenced by the earlier order dated 20th May, 2015. We clarify that we have not expressed any opinion on merits.

To cut short the delay, the parties are directed to appear before the Tribunal on 2nd March, 2016, when a date of hearing will be fixed.

SANJIV KHANNA, J.

ASHUTOSH KUMAR, J.

FEBRUARY 11, 2016
NA