

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.13476 of 2017

ORDER: (Per Justice Sanjay Kumar)

The petitioner is the first applicant in O.A.No.1569 of 2013 on the file of the Central Administrative Tribunal, Hyderabad Bench. By order dated 20.01.2016, the Tribunal dismissed the said O.A. following the decision of the Principal Bench at New Delhi in O.A.No.2578 of 2013. Aggrieved thereby, the first applicant in the O.A. is before this Court by way of this writ petition. The second and third applicants in the O.A. are shown as respondents 6 and 7 in the writ petition but with the rider that they are not necessary parties.

Sri M.Venkanna, learned counsel for the petitioner, would state that the order passed by the Principal Bench of the Central Administrative Tribunal at New Delhi in O.A.No.2578 of 2013 was set aside by the Delhi High Court and the said O.A. was remanded to the Tribunal for consideration afresh on merits.

Smt. Chintalapudi Lakshmi Kumari, learned counsel appearing for the Union of India, fairly concedes this factual aspect.

That being so, as the Tribunal merely followed the decision in O.A.No.2578 of 2013 rendered by the Principal Bench at New Delhi, which is no longer holding the field, we are of the opinion that the present O.A. also requires to be adjudicated on merits.

The order dated 20.01.2016 passed in O.A.No.1569 of 2013 is accordingly set aside and the matter is remitted to the Central Administrative Tribunal, Hyderabad Bench, for consideration afresh on merits and in accordance with law.

The writ petition is allowed to the extent indicated above.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

N. BALAYOGI, J

17th April, 2017
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