

CM-6974-2017 in/and
CWP-3692-2017 (O&M)

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HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-6974-2017 in/and
CWP-3692-2017 (O&M)
Date of Decision: May 11, 2017

Dr.Vivek Ahluwalia

.....Petitioner

Versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

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| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Sandeep Suri, Advocate
for the petitioner.

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SURYA KANT, J.

The Central Administrative Tribunal, Chandigarh Bench, Chandigarh (for brevity, 'the Tribunal'), has dismissed the Original Application filed by the petitioner primarily on the ground of delay of 596 days. In the Original Application, the petitioner had laid challenge to the selection and consequential appointment of the private respondents as Assistant Director (Chemistry). The petitioner has moved a separate application to place on record the information, which is said to have been obtained under the Right to Information Act, 2005 on 18.04.2017, on the basis of which it is contended that, in fact, the result of the selection was never declared due to which the petitioner had no knowledge, hence there

was no delay on his part. Since the information now relied upon by the petitioner was not on record of the Original Application and, thus, the learned Tribunal had no occasion to consider the effect of such information, learned counsel for the petitioner seeks to withdraw the writ petition with liberty to file review application before the Tribunal.

Ordered accordingly.

**(SURYA KANT)
JUDGE**

May 11, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |