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

+ W.P.(C) 255/2017 & CM Nos.1235-36/2017

NARENDRA SINGH RAO

..... Petitioner

Through: Mr. Dinesh Agnani, Senior Advocate
with Mr. Subodh Pathak, Advocate

versus

UNION OF INDIA & ANR

..... Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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13.01.2017

The impugned order dated 5.1.2017 disposes of the interim application, holding that any fresh engagement shall be subject to the outcome of the OA filed by the petitioner. It is further directed that if any arrangement is made, the arrangement order will specifically stipulate that no right is conferred upon the person, who is engaged.

The petitioner herein has filed OA No.13/2017, challenging his termination vide order dated 21.12.2016. The petitioner has made certain allegations in the OA as to the reason why he has been terminated. The said aspects will be examined at the time when the OA is taken up for consideration. At an interim stage, without full and detailed hearing on

merits, it would not be appropriate to direct reinstatement. This would amount to allowing and accepting the main prayer. We clarify that the impugned order does not comment and deal with the merits of the allegations and these aspects have to be examined and decided, when the OA is heard on merits. We have also not commented on merits.

Learned counsel for the petitioner submits that the matter is of some urgency as the decision to terminate the service of the petitioner is stigmatic and would have adverse effect. It is open to the petitioner to raise the said contentions before the Tribunal, including his prayer for early disposal. If any such prayer is made, we would assume that the same would be duly considered.

With the aforesaid observations, we refused to interfere with the impugned order. The petition is disposed of. CM Nos.1235-36/2017 are also disposed of.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

JANUARY 13, 2017

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