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

+ **W.P.(C) 4008/2017 and C.M. No.17634/2017**

GOVT. OF NCT OF DELHI & ORS

..... Petitioners

Through: Ms. Sakshi Popli & Mr. Anurag
Kumar, Advocates.

versus

M. ANBALAGAN

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

24.05.2017

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The petitioner/ GNCTD has preferred the present writ petition to assail the order dated 07.06.2016, whereby the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) had granted ex-parte ad-interim stay in respect of order dated 27.05.2016 passed by the petitioner, whereby the benefit of pay had been withdrawn by the petitioner.

Since the writ petition was preferred only in May 2017, we had called upon the petitioner to place on record the complete order sheets of the Tribunal along with an additional affidavit. The same have been placed on record and they show that it was the petitioner, who repeatedly took

adjournments to file reply to the Original Application. On one occasion, the respondent took adjournment to file the rejoinder, and on another occasion, the matter was adjourned at joint request. Since there was no time left, the matter – when lastly adjourned to 23.03.2017, was adjourned to 21.08.2017. The aforesaid shows that the petitioner has not acted with any urgency, which is sought to be made now and given as a reason for assailing the ex-parte ad-interim order passed by the Tribunal, rather than contesting the stay granted by the Tribunal, before the Tribunal.

In these circumstances, we are not inclined to entertain the writ petition. However, we request the Tribunal to hear the stay application on 21.08.2017, the date already fixed, provided the petitioner does not seek any adjournment.

The petition stands disposed of in the aforesaid terms.

Dasti.

VIPIN SANGHI, J

DEEPA SHARMA, J

MAY 24, 2017

B.S. Rohella