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

+ **W.P.(C) 5488/2017**

POOJA YADAV

..... Petitioner

Through: Mr. M.K. Bhardwaj, Advocate.

versus

GOVT OF NCT OF DELHI AND ORS

..... Respondents

Through: Mr. Sanjoy Ghose, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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05.07.2017

C.M. No.23045/2017

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

C.M. No. 23046/2017

The application is allowed and stands disposed of.

W.P.(C) 5488/2017 and C.M. No. 23044/2017

The petitioner has preferred the present writ petition to assail the order dated 23.06.2017 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A. No.2128/2017.

The impugned order is an interim order passed on the petitioner's/ applicant's application. The Tribunal has, by the impugned order, permitted the respondents to hold the Tier-I examination, as scheduled. It is further

directed that the respondents shall not hold Tier-II examination without taking leave of the Tribunal, or till the disposal of the Original Application. The case is now listed for consideration before the Tribunal on 11.08.2017.

The submission of learned counsel for the petitioner is that the Tribunal has observed in paragraph 4 of the impugned order that the petitioner has no grievance in relation to the Tier-I examination – as contended by the respondents before the Tribunal. Learned counsel submits that this observation made by the Tribunal is not correct and virtually closes the rights of the petitioner to assail the Tier-I examination and the entire examination as a whole.

We make it clear that the observations made by the Tribunal in the impugned order is tentative and shall not come in the way of either of the parties at the stage of final hearing of the Original Application before the Tribunal, which shall be considered on its own merits.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

REKHA PALLI, J

JULY 05, 2017

B.S. Rohella