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

+ W.P.(C) 9320/2017 & C.M. No.38100/2017 (stay)

SUNIL KUMAR MISHRA AND ORS. Petitioners
Through: Mr. Raghavendra S. Srivastva,
Mr. Rahat Bansal and Mr. Amit A. Rai,
Advocates.

versus

UNION OF INDIA AND ANR. Respondents
Through: Mr. Jasmeet Singh, CGSC with
Mr. Srivats Kaushal, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **01.12.2017**

1. The present petition has been filed by the petitioners assailing an interim order dated 04.9.2017, passed by the Central Administrative Tribunal in an original application filed by them praying *inter alia* for quashing and setting aside the Office Memorandum dated 03.8.2017, issued by the respondents and for issuing directions to the respondents to grant them benefits in terms of the recommendations of the 7th CPC.
2. Under the impugned order dated 04.9.2017, while issuing notice in the main petition and calling upon the respondents to file a counter affidavit, the Tribunal had passed an interim order to the effect that no recovery shall be effected from the salary of the applicants pursuant to the impugned order dated 03.8.2017.

3. We are informed that the next date fixed before the Tribunal is 21.12.2017. Having regard to the fact that interim protection has already been extended to the petitioners, we do not see any ground to interfere in the order dated 4.9.2007 passed by the Tribunal. If the present petition is allowed, it shall tantamount to allowing the original application filed by the petitioner which is impermissible. The prayer made in the petition is declined and the petition is dismissed *in limine* along with the pending application.

HIMA KOHLI, J

REKHA PALLI, J

DECEMBER 01, 2017

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