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

+ W.P.(C) 1161/2018 and CM APPL. Nos.4847-48/2018

SANJAY PRATAP SINGH Petitioner

Through: Mr. Parag Tripathi, Sr. Advocate with
Ms. Aishwarya Bhati, Mr. Jaideep Singh,
Mr. Amit Verma and Mr. Shikhar Khare,
Advocates.

versus

UNION OF INDIA Respondent

Through: Mr. Sanjeev Narula, CGSC with
Ms. Anumita Chandra, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **07.02.2018**

1. The limited grievance raised by the petitioner in the present petition is with regard to the order dated 24.01.2018, passed by the Central Administrative Tribunal in O.A. No.324/2018 filed by him praying *inter alia* that the operation of the order dated 17.01.2018, passed by the Ministry of Personnel compulsory retiring him, be stayed.

2. On 24.01.2018, the Tribunal has issued notice in the O.A. to the respondent. As counsel for the respondent was present on the said date, he had sought time to file a counter affidavit. The respondent was granted three weeks time to file the counter affidavit and the matter was adjourned to 20.2.2018.

3. Mr. Tripathi, Sr. Advocate appearing for the petitioner submits that the petitioner had filed a Miscellaneous Application along with his O.A., seeking a stay of the operation of the impugned order of compulsory retirement dated 17.01.2018, which was also listed on 24.01.2018. Though

the said application was pressed by the learned counsel for the petitioner, the Tribunal did not pass any interim orders.

4. Having regard to the fact that the Tribunal has fixed such a short date in the O.A. filed by the petitioner, we decline to pass any orders in this petition. It is however deemed appropriate to direct the respondent to ensure that the counter affidavit and a reply to the interim application is filed by them, within the time granted by the Tribunal i.e. on or before 13.02.2018 with a copy furnished to the other side, who shall then file a rejoinder on or before 19.02.2018, so that the pleadings are complete and the parties can address arguments on the pending interim application filed by the petitioner, on the date fixed i.e., on 20.02.2018.

5. It is made clear that neither side shall seek an adjournment on the date fixed. In the event, either of the counsels for the parties are unavailable on the said date, then alternate arrangements shall be made to ensure that arguments on the application are not deferred. The respondent shall also produce the relevant records for the perusal of the Tribunal, on the date fixed.

6. We may hasten to add that this Court has not expressed any opinion on merits of the case and the Tribunal shall be at liberty to pass appropriate orders after considering the submissions made by both sides.

7. The petition is disposed of alongwith the pending applications.

HIMA KOHLI, J

PRATIBHA RANI, J

FEBRUARY 07, 2018/na
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