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

+ **W.P.(C) 3539/2018 & C.M. 13984/2018**

SUDEEP KUMAR Petitioner

Through: Mr. Birendra Mishra &
Ms. Poonam, Advocates

Versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Jagjit Singh, Mr. Preet Singh
& Mr. Narayan Dev Parashar, Advocates

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **11.04.2018**

To overcome the objection of maintainability of this petition, an application has been filed by petitioner.

Learned counsel for petitioner submits that in the first round of litigation, petitioner's writ petition has been dismissed by a Division Bench of this Court vide order of 16th May, 2008. It is the case of petitioner that Division Bench of this Court in another matter, vide order of 11th February, 2009, has permitted filing of Representation on the proportionality aspect of the penalty imposed and petitioner had filed a Representation, which has been dismissed vide order of 9th May, 2013 (*Annexure P-10*). Learned counsel for petitioner points out that against aforesaid dismissal order of 9th May, 2013 (*Annexure P-10*), petitioner had filed a review appeal in September, 2013 and the fate of said review

appeal is not known.

Be that as it may. Since the jurisdiction to entertain subject matter of this petition is of the Central Administrative Tribunal (CAT), therefore, petitioner is relegated to approach CAT, New Delhi within two weeks to avail of the remedies, as available in the law. It is made clear that the objection of limitation shall be considered by the Tribunal, if an application is filed by petitioner.

With aforesaid liberty, this petition and application are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

APRIL 11, 2018

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