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

+ W.P.(C) 2297/2018 & CM APPL. 9548-9549/2018, 9551/2018

GYAN SINGH & ORS

..... Petitioner

Through: Dr KS Chauhan, Murari Lal, Ajit
Kumar Ekka and S.P. Singh, Adv

versus

UNION OF INDIA & ORS

..... Respondent

Through Mr. Amrit Pal Singh for R-1
Ms. Radhalakshmi for Mr. Rajeev
Sharma for R-2&3
Mr. Apurb Lal and Ms. Neeru
Pandey, Advocates

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

22.11.2018

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The petitioner has preferred the present writ petition to assail the order dated 21.11.2017 passed by Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A. No. 4016/2016. The grievance of the petitioner is that though they were impleaded as party respondents in the amended O.A before the tribunal, as a matter of fact, they were never served and behind their back, the tribunal has allowed the O.A. and quashed the seniority list dated 01.11.2016 to the detriment of the petitioners. The tribunal directed redrawing of the seniority list qua the SC/ST category promotes who were shown senior to the respondent/ applicant in the final seniority list of Cameraman Grade I.

Mr. Lal, who appears for the respondents, does not dispute the position that the petitioners herein were not served notice post the amendment of the O.A. In this view of the matter, in our view, the impugned order cannot be sustained. The same has been passed at the petitioners back and to their detriment even though they were impleaded as party respondents on the orders of the tribunal.

Without getting into the correctness of the impugned order, we set aside the impugned order and remand the case back to the tribunal for re-determination of the O.A. The tribunal shall hear all the parties concerned before passing the final order.

A copy of the amended O.A. has been tendered to counsel for the petitioner in Court today. Reply thereto shall be filed by the petitioner within four weeks.

The matter shall be listed for directions before the tribunal on 08.01.2019.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

A. K. CHAWLA, J

NOVEMBER 22, 2018
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