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

+ W.P.(C) 9121/2018 & C.M.Nos.35201/2018 (stay), 35202/2018
(exemption) & 35203/2018 (additional documents)

SHEKHAR PAL SHARMA Petitioner

Through Mr.Mukesh Kumar, Adv.

versus

UOI & ORS. Respondents

Through Mr.Sanjeev Narula, CGSC with
Mr.Brajesh Kumar, Adv for R-1 & 2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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29.08.2018

1. The petitioner is aggrieved by an order dated 20.08.2018 passed by the Central Administrative Tribunal, Principal Bench, New Delhi dismissing O.A. No. 2896/2018 filed by him purportedly under Section 19 of the Administrative Tribunal Act, 1985 read with Section 9 of the Arbitration and Conciliation Act, 1996 against his termination order dated 24.05.2018, passed by the respondents, terminating his services from the post of MIS (Specialist).

2. Mr.Narula, learned counsel for the respondents, who appears on advance notice states that the present petition is patently misconceived and the Tribunal cannot be faulted in questioning the

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maintainability of the application filed by the petitioner, when he had already approached the High Court by filing not only one, but two petitions, first one registered as Arbitration Petition No.456/2018, initially filed under Section 11 and later on, permitted to be treated as one filed under Section 9 of the Arbitration & Conciliation Act. Thereafter, the petitioner had filed Arbitration Petition no.530/2018 under Section 11 of the Arbitration and Conciliation Act. While Arbitration Petition No. 456/2018 was disposed of vide order dated 12.07.2018, Arbitration Petition No. 530/2018 has been disposed of by a learned Single Judge of this Court as recently as on 23.08.2018

3. We are informed by the learned counsel for the petitioner that the liberty granted to petitioner vide order dated 12.07.2018, passed in Arbitration Petition no. 456/2018 permitting him to file an application under Section 17 of the Act before the Arbitral Tribunal, has already been exercised by him and an application has been filed before the Arbitral Tribunal, so constituted, which is pending consideration.

4. In our opinion, given the facts stated above, the present petition is a gross abuse of the process of the Court. The petition appears to be an attempt to indulge in forum hunting.

5. At this stage, learned counsel for the petitioner seeks leave to withdraw the present petition. Leave as prayed for is granted.

6. The petition is dismissed as withdrawn alongwith pending applications.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 29, 2018/sr

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