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

+ **W.P.(C) 10275/2017 & CM APPL. 2552/2018**

UNION OF INDIA & ANR

..... Petitioner

Through: Ms. Arti Bansal, Advocate

versus

NARENDER KUMAR JAIN

..... Respondent

Through: Mr. M.K. Bhardwaj, Advocate

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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27.11.2018

The petitioner has assailed the order dated 13.12.2016 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) in O.A. No.4401/2014. The tribunal has disposed of the said O.A. declaring that the respondent/applicant is entitled to financial benefits from the date of filing of the O.A. and not before that.

The only submission advanced by the petitioner and considered by us is that a perusal of the impugned order does not betray the position that the tribunal has applied its mind to the facts and circumstances of the case, and there is no discussion found in the impugned order justifying the placing of reliance on the decision in O.A. No.366/2012 decided on 10.10.2012.

We may take it that the tribunal after hearing the parties satisfied itself with regard to the claim of the respondent. However, the matter does not end there. It was essential for the tribunal to set out atleast the basic facts on the basis of which the respondent postulated his claim and deal with the submissions of the parties. If any precedents were sought to be relied upon by either of the parties, they should have been considered by the tribunal and reasons recorded for their accepting or rejecting the said reliance.

Consequently, we set aside the impugned order and remand the case back to the tribunal for passing a more detailed order on the facts and law. The parties shall appear before the tribunal on 11.12.2018.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

A. K. CHAWLA, J

NOVEMBER 27, 2018

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