

\$~26

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

+ W.P.(C) 1825/2019

G. LALITA

..... Petitioner

Through: Mr. Prateek Tushar Mohanty,
Mr. Tushar Ranjan Mohanty, Mr. Chirag
Madan, Mr. Sai Krishna Kumar and
Ms. Ravleen Sabharwal, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Sanjiv. K. Saxena, Mr. R. Mishra
and Mr. Mukesh Tiwari, Adv. for
R-1/UOI.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

%

22.02.2019

CM APPL. 8530/2019

Exemption allowed, subject to all just exceptions.

W.P.(C) 1825/2019 & CM APPL. 8531/2019

Issue notice. Mr. Saxena, Advocate accepts notice on behalf of the respondents.

In view of the order that we propose to pass, we do not consider it necessary to call for the reply of the respondents.

The grievance of the petitioner is that the Miscellaneous Application filed by the petitioner to seek interim protection before the Central Administrative Tribunal (Tribunal) i.e. MA No.4908/2018 has been adjourned by the Tribunal to 22.04.2019 without considering the aspect of interim relief, while in other identical cases, interim protection has been granted by the Tribunal. The two identical applications are i) OA No.3596/2018, wherein interim orders were passed on 20.09.2018 and ii) OA No.4166/2018, wherein

interim orders were passed on 02.11.2018.

Mr. Mohanty has drawn our attention to the Office Memorandum dated 10.09.2018, which is under challenge before the Tribunal, and whereby the names of 13 Officers were removed from the seniority list of Senior Statistical Officer (SSO) issued during the period of 01.04.2004 to 06.09.2018. It is the very same Office Memorandum which is under challenge in the other two Original Applications, taken note hereinabove, wherein interim protection has been granted.

In the light of the aforesaid, we dispose of this petition with the direction that the petitioners/applicants in the present writ petition shall be entitled to the same interim protection as granted by the Tribunal in the aforesaid two Original Applications till the consideration and disposal of the interim applications moved by the petitioner in the Original Application. The Tribunal shall be free to take its own independent view on the said aspect after hearing the parties and our order shall merge in the order that the Tribunal may pass in the matter. We make it clear that we have not gone into the merits of the claim of the petitioner and all pleas are available to the parties to raise before the Tribunal.

Petition stands disposed of in the above terms.

Order *Dasti* under the signatures of the Court Master.

VIPIN SANGHI, J

A. K. CHAWLA, J

FEBRUARY 22, 2019

nn