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

+ W.P.(C) 2019/2019

DR. K. K. PRASAD

..... Petitioner

Through: Mr. J.P. Sengh, Sr. Adv. with Mr. Sourabh Ahuja, Mrs. Mrigna Shekhar, Mr. Zubin Singh and Mr. Shashi Pratap Singh, Advs.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondent

Through: Mrs. Avnish Ahlawat, St. Counsel, GNCTD (Services) with Mr. N.K. Singh, Ms. Aarushi and Ms. Sakshi, Advs. for GNCTD.
Mr. Abhinav Tyagi with Mr. Anil Soni, Advs for R-6.

+ W.P.(C) 2023/2019

DR. ASHOK KUMAR AHLUWALIA

..... Petitioner

Through: Mr. J.P. Sengh, Sr. Adv. with Mr. Sourabh Ahuja, Mrs. Mrigna Shekhar, Mr. Zubin Singh and Mr. Shashi Pratap Singh, Advs.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondent

Through: Mrs. Avnish Ahlawat, St. Counsel, GNCTD (Services) with Mr. N.K. Singh, Ms. Aarushi and Ms. Sakshi, Advs. for GNCTD.
Mr. Abhinav Tyagi with Mr. Anil Soni, Advs for R-6.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

27.02.2019

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C.M. No. 9476/2019 in W.P. (C) No. 2019/2019, C.M. No. 9487/2019 in W.P. (C) No. 2023/2019

Exemptions allowed, subject to all just exceptions. The applications stands disposed of.

W.P.(C) 2019/2019 & C.M. No. 9474/2019, C.M. No. 9475/2019

W.P.(C) 2023/2019 & C.M. No. 9485/2019, C.M. No. 9486/2019

The petitioner assails the order dated 11.01.2019 passed by the Central Administrative Tribunal, Principal Bench, New Delhi, (the Tribunal) in O.A. Nos. 3772/2018 (**W.P.(C) 2019/2019**) & 3771/2018 (**W.P.(C) 2023/2019**). It is pointed out by learned senior counsel for the petitioner that after this Court remanded back the matter to the Tribunal vide order dated 23.10.2018 passed in W.P. (C) No. 11404/2018 and 11407/2018, the Tribunal has proceeded to dispose of the Original Application without calling for a reply of either the respondent GNCTD or the AICTE, which was permitted to be impleaded as a party respondent.

No doubt, this Court had requested the Tribunal to hear the matter on the date fixed i.e. 12.12.2018, but this Court had not stated that the respondent's reply should not be called for. The said direction had been issued, considering the fact that there was a gap of nearly 6 weeks between the dates when we passed the order and the date fixed before the Tribunal. It was expected that during this period, the respondents would file their reply and AICTE would also be impleaded and would file their reply.

Be that, as it may, we set aside the impugned orders and remand the Original Applications to the Tribunal for reconsideration after calling for the replies of the respondents.

The parties shall appear before the Tribunal on 08.05.2019. The

respondents shall, in the meantime, file their replies/ response in the Original Application within 4 weeks. Rejoinders be filed before the next date before the Tribunal.

The interim orders operating in the Original Applications before the disposal of the same, are revived.

The petitions stand disposed of in the aforesaid terms.

VIPIN SANGHI, J

A. K. CHAWLA, J

FEBRUARY 27, 2019

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