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

+ W.P.(C) 2073/2019 & C.M. No.9687/2019

MANOJ KUMAR AND ORS. Petitioner

Through: Ms.Saiparna Chatterjee and Mr.Rohan
Narang, Advocate

versus

UNION OF INDIA AND ORS. Respondent

Through: Mr.Akshay Makhija, ASG, CGSC and
Ms.S.D. Singh, advocate for the respondent no.1/IOI
Mr.Arun Bhardwaj, Mr.Prateek Rai, Mr.Gauraav
Bhardwaj and Mr.Abhishek Sharma, Advocates for the
respondent Nos.2-5

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

19.03.2019

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The present writ petition was preferred to assail the order dated 17.12.2018 passed by the Central Administrative Tribunal in OA No.2552/2018. The grievance of the petitioner was that the Tribunal should not have disposed of the Original Application with directions to the respondent to consider the representation of the petitioner and pass a speaking order within 90 days and that the Tribunal should have adjudicated upon the Original Application on its merits.

During the pendency of this petition, the respondent has passed the order dated 7.3.2019, disposing of the representation of the petitioner and rejecting the same.

In the light of the aforesaid development, we remand the case back to the Tribunal for re-consideration on merits. It shall be open to the petitioner to amend the Original Application to include challenge to the order dated 7.3.2019. The petitioner shall file the Original Application within two weeks from today, with an advance copy to the respondent, who may file a response thereto within two weeks thereafter.

List the Original Application before the Tribunal on 25.4.2019.

The petition stands disposed of, in above terms.

VIPIN SANGHI, J

REKHA PALLI, J

MARCH 19, 2019
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