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

+ W.P.(C) 2554/2019

SH. ANIL KUMAR

..... Petitioner

Through: Ms. Rashmi Chopra with Ms. Ariya,
Advts.

versus

GOVT. OF N. C. T. OF DELHI AND ORS. Respondent

Through: Mr. Yeeshu Jain with Ms. Jyoti Tyagi
and Ms. Shilpi Chaudhary, Advts.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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15.03.2019

C.M. No. 11888/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 2554/2019

Issue notice. Counsel for the respondent accepts notice. The limited grievance that the petitioner has qua the impugned order dated 14.02.2019, passed by the Central Administrative Tribunal, Principal Bench, New Delhi (the Tribunal) in O.A. No. 2297/2018 is that in paragraph 15.01 of the impugned order, the Tribunal made observations on the merits of the case which were not called for at this stage. The submission is that the Tribunal has allowed the Original Application by quashing the impugned order dated 19.02.2018 on the ground that the petitioners request for supply of

documents had not been met and, consequently, his representation was not effective to the show cause notice dated 20.12.2017. The Tribunal has directed that the relevant documents be supplied to the petitioner and 15 days be granted to the petitioner to make his representation whereafter the competent authority has been directed to consider and decide the representation in terms of the extant rules.

Keeping in view the aforesaid grievance, we direct that while considering the representation of the petitioner, the respondents would be entitled to take their own independent and considered view in the matter without being influenced by any observation being made in paragraph 15.01 of the impugned order.

We, however, make it clear that we have not expressed any opinion about the correctness or otherwise of the observations made by the Tribunal in paragraph 15.01 of the impugned order.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

REKHA PALLI, J

MARCH 15, 2019

N.Khanna