

#S8

IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 20.11.2020

W.P.(C) 10210/2019 & CM APPL. 42095/2019 (Stay)

GOVT. OF NCT OF DELHI & ORS.

..... Petitioners

versus

AMIT RANA & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioners	:Mrs. Avnish Ahlawat, Standing Counsel along with Mr. N.K. Singh & Ms. Palak Rohmetra, Advocate for GNCTD (Services)
For the Respondents	:Mr. Sachin Chauhan, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

JUDGMENT

SIDDHARTH MRIDUL, J. (Open Court – via Video Conferencing)

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

1. The present writ petition under Article 226 read with 227 of the Constitution of India, has been instituted on behalf of the petitioners, praying as follows:-

“(a) That this Hon’ble Court may be pleased to quash and set aside the per-se perverse order dated 25.04.2019 passed by the Learned Central

Administrative Tribunal, Principal Bench New Delhi in O.A. No. 922/2019.

- (b) Pass any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. Ms. Avnish Ahlawat, learned Standing Counsel appearing on behalf of the petitioners states that, the result in relation to the subject Physical Education Teacher Post bearing Post Code No. 90/17, had already been declared and published on the 23.04.2019, which fact has not been considered by the Hon'ble Central Administration Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Hon'ble CAT'), whilst rendering the impugned Order dated 25.04.2019, passed in O.A. No. 922/2019, titled as '*Amit Rana & Ors. vs. Govt. of NCT of Delhi & Ors.*'

3. It is also urged on behalf of the petitioners that, Question No. 135, answer to which is the bone of contention in the present writ petition, had already been referred to an expert, which circumstance is refuted by Mr. Sachin Chauhan, learned counsel representing respondent No. 1-Mr. Amit Rana, prior to the passing of the said impugned order dated 25.04.2019, which has also not been addressed in the said impugned order dated 25.04.2019.

4. In this backdrop, Mrs. Avnish Ahlawat, learned Standing Counsel appearing on behalf of the petitioners, seeks leave to withdraw this petition, with liberty to approach the Hon'ble CAT, by way of an appropriate application, seeking review of the impugned order dated 25.04.2019, subject to the petitioners' instituting the proposed review, within a period of two weeks from today.

5. Leave and liberty granted.

6. The writ petition is disposed of accordingly. The pending application also stands disposed of.

8. It is clarified that, we have not expressed any opinion on the merits of the case.

SIDDHARTH MRIDUL
(JUDGE)

TALWANT SINGH
(JUDGE)

NOVEMBER 20, 2020/dn/rs

[Click here to check corrigendum, if any](#)