

\$~5

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+ **W.P.(C) 457/2020 & CM APPL.13083/2020 (Early hearing)**

JANGVIR SINGH CHAUHAN

.....Petitioner

Through: Mr. Arpit Maheshwari, Advocate

versus

**DIRECTORATE GENERAL OF CIVIL
AVIATION THROUGH ITS DIRECTOR
GENERAL & ORS**

..... Respondents

Through: Ms. Anjana Gosain and Ms. Shalini
Nair and Ms. Himanshi, Advocates

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

ORDER

%

06.07.2020

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

The present writ petition assails the order dated 04.12.2019, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi in O.A. No.924/2019 titled as '*Jagvir Singh Chauhan vs. Directorate General of Civil Aviation and Ors.*'.

By way of the impugned order and in particular paragraph 10 thereof, the learned Central Administrative Tribunal expressed as follows:-

“10. Whatever be the nature of enquiry conducted or the gravity of the allegations made against the applicant, the fact remains that his appointment was purely contractual in nature and that has come to an end on 12.03.2019.....”

It is an admitted position that, a contract for personal service cannot be specifically enforced.

It is also an admitted position that, the petitioner's appointment was purely contractual in nature and came to an end by way of a termination order dated 12.03.2019.

In view of the foregoing, Mr. Arpit Maheshwari, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this writ petition with liberty to institute an appropriate proceeding, in accordance with law, including seeking damages for wrongful termination.

Leave and liberty granted.

The present writ petition is dismissed as withdrawn and disposed of accordingly. The pending application also stands disposed of.

The date already fixed i.e. 24.08.2020, stands cancelled.

Needless to state that, in the event the petitioner institutes an appropriate proceeding including one against the official respondents seeking damages, the same shall be adjudicated, in accordance with law, without being influenced by the observations made in the impugned order, in any manner.

SIDDHARTH MRIDUL, J

TALWANT SINGH, J

JULY 06, 2020

dn/as