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

+ W.P.(C) 1682/2020

G. AJAY KUMAR

..... Petitioner

Through Mr. Padma Kumar S., Advocate.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
AND ANR. Respondents

Through Mr. Yeeshu Jain, Addl. Standing Counsel
with Ms. Jyoti Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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14.02.2020

CM APPL. 5817/2020 (exemption)

Exemption is allowed, subject to all just exceptions.

Application stands disposed of.

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The petitioner is aggrieved by order dated 04.10.2019 passed by Central Administrative Tribunal ('Tribunal') by which CP No.280/2018 stands dismissed.

Counsel appearing for the petitioner submits that his grievance is two folds – firstly, the observation of the Tribunal that there has been substantial compliance of the order dated 18.07.2017 passed by Tribunal and secondly, the speaking order dated 25.10.2018 does not address the real issue in question as the Office Memorandum bearing F.No.35034/1/97-Estt(D)(Vol.IV) dated 10.02.2000 issued by DoPT has not been considered while passing the speaking order.

After some hearing, learned counsel for the petitioner submits that he would assail the speaking order dated 25.10.2018 but prays that the observation of substantial compliance having been made should not stand in his way and further he would raise such grounds including the ground of O.M. issued by DoPT not having been taken into consideration.

While we decline to interfere in the order dated 04.10.2019, we make it clear that in case the petitioner is so advised to challenge the speaking order, the observation of the Tribunal would not stand in his way and he would be entitled to raise all grounds as available to him in accordance with law.

In view of above, the writ petition stands disposed of.

G.S.SISTANI, J

C.HARI SHANKAR, J

FEBRUARY 14, 2020/ck /
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