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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P. (C) 3304/2020 & CM APPLs. 11591-11592/2020 & 11594/2020**

**DR. ASHOK KUMAR SHARMA** ..... Petitioner

Through: Mr. Rajeshwar Singh, Advocate

versus

**GOVERNMENT OF NATIONAL CAPITAL  
TERRITORY OF DELHI AND ORS.** ..... Respondents

Through: Ms. Avnish Ahlawat with Mr. Nitesh,  
Advocates for R-1, R-2, R-4 & 5  
Mr. Sanjeev Sabharwal, Advocate for  
R-3/UOI

**CORAM:**  
**HON'BLE MR. JUSTICE J.R. MIDHA**  
**HON'BLE MR. JUSTICE BRIJESH SETHI**

% **ORDER**  
**01.06.2020**

The hearing has been conducted through video conferencing.

**CM Appls. 11589/2020 & 11593/2020**

1. Allowed, subject to just exceptions.

**W.P. (C) 3304/2020 & CM Appl. 11590/2020**

2. Issue notice. Learned counsel for respondents No.1, 2, 4 and 5 accepts notice. Counsel for respondent No.3 also accepts notice.

3. The petitioner is aggrieved by the order dated 19<sup>th</sup> May, 2020 passed by the Central Administrative Tribunal whereby the learned Tribunal did not grant the interim relief to the petitioner and adjourned the matter for service of respondents No.3 and 5 to 03<sup>rd</sup> July, 2020.

4. The petitioner is seeking stay of the appointment of respondent No.5

as the Medical Director, GIPMER along with additional charge of Director-Principal, Dr. BSA Medical College.

5. This Court is of the view that the petitioner is entitled to the relief that the appointment of respondent No.5 shall be subject to the outcome of the O.A. filed by the petitioner before the Central Administrative Tribunal. This Court is further of the view that the parties should file the counter affidavit positively within ten days from today, the rejoinder thereto within ten days thereafter and all the parties should file the written submissions before the date fixed before the learned Tribunal i.e. 03<sup>rd</sup> July, 2020.

6. Learned counsels for all the parties agree that the counter affidavit shall be filed positively within ten days from today and the rejoinder thereto shall be filed within ten days thereafter. All the parties agree to file brief note of submissions not exceeding five pages along with copies of relevant pages of the documents on record and the judgments on which they wish to rely with relevant portions duly highlighted along with the video clip of thirty minutes of their arguments on or before 01<sup>st</sup> July, 2020. All the relevant records shall be kept available by respondents No.1 to 4 at the time of hearing.

7. Learned counsels for the parties agree not to seek any adjournment on 03<sup>rd</sup> July, 2020. In that view of the matter, the learned Tribunal shall proceed to hear the matter on 03<sup>rd</sup> July, 2020.

8. The impugned order dated 19<sup>th</sup> May, 2020 is modified to the extent that the appointment of respondent No.5 shall be subject to the outcome of the O.A. by the learned Tribunal. All the parties shall remain bound by the statement made before this Court.

9. The case is disposed of in the above terms. Pending applications are disposed of.

10. The order be uploaded on the website of this court forthwith.

**J.R. MIDHA, J.**

**BRIJESH SETHI, J.**

**JUNE 01, 2020/ds**