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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 21.08.2020

W.P.(C) 5743/2003

SURESH CHANDRA SAXENA

.....Petitioner

versus

UOI & ORS

.....Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ritwik Parikh, Advocate

For the Respondents : Mr. V.S.R. Krishna, Advocate

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

J U D G M E N T

SIDDHARTH MRIDUL, J. (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 Articles 226 and 227 of the Constitution of India assails the orders dated 25.06.2003 and 29.07.2003, passed by the Central Administrative Tribunal, Principal Bench, New Delhi (for short 'the Hon'ble CAT) in O.A. No.2592/2002, as well as, in R.A. No.215/2003 in O.A. No.

2592/2002, titled as '*S.C. Saxena vs. Union of India & Anr.*', principally on the ground that, the said impugned orders were rendered without affording the Petitioner an opportunity of being heard, in support of his claim.

2. In view of the foregoing, since the petitioner was denied an opportunity of being heard before rendition of the orders impugned herein, we restore the O.A. No. 2592/2002, on the file of the Hon'ble CAT and direct the latter to adjudicate afresh the said O.A. We, therefore, set aside the said impugned orders dated 25.06.2003 and 29.07.2003 and remit the matter back to the Hon'ble CAT for *de novo* hearing of the said O.A. No.2592/2002 titled '*Suresh Chandra Saxena vs. Union of India & Ors.*'

3. The parties are directed to appear before the Hon'ble CAT for the said purpose, in the first instance on 03.09.2020.

4. The Hon'ble CAT requested to take up the matter for hearing expeditiously, in view of the circumstances that, the petitioner's claim has remained un-adjudicated since 2002 and dispose of the same preferably within a period of four months from the date of first hearing before it.

5. No further directions are called for.

6. With the above directions, the writ petition is disposed of.
7. A copy be sent to the Registrar, Central Administrative Tribunal, Principal Bench, New Delhi for necessary information and compliance.
8. The Registry is directed to provide a copy of this judgment be provided electronically to learned counsel appearing on behalf of both the parties and be uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL
(JUDGE)

TALWANT SINGH, J
(JUDGE)

AUGUST 21, 2020

dn/nk

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