

\$~Suppl.-33

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

+ W.P. (C) 2280/2021

DR SANJAY GUPTAPetitioner

Through: Petitioner in person.

Versus

SECRETARY MINISTER OF POWER, GOVT OF INDIA, NEW
DELHI AND ORSRespondents

Through: Ms. Udit Singh, Advocate for
respondent No. 11.

% Date of Decision: 18th February, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

J U D G M E N T

MANMOHAN, J: (Oral)

1. The petition has been heard by way of video conferencing.
2. Petitioner has filed the present writ petition with the following prayers:-

“a) For a writ of certiorari or any other appropriate writ, order or direction for set aside of the order of Tribunal dated 7/12/2016, Annexure -P-6, Tribunal order dated 10/1/2017, Annexure -P-5, OA 4040/2016 , Review Tribunal dated 09/5/2017, Annexure-P-4 , RA 108/2017 OA 4040/2016, and special review order of registrar, Annexure-P-3 and writ judgment of high court dated 30/7/2019, Annexure-P-2, writ 8173/2019, Review order of high court of dated 06/12/2019, Annexure -P-1 ,review petition

508/2019, WR 8173/2019.

b) For an order directing the respondents No 4, North eastern electrical power corporation to pay the petitioner with full salary and all benefits from the date of deputation of services as SDO-CIVIL (Sr Engineer -higher grade, as posting was confirm by the CMD-Hydro power (1997-2005) - DGM (Project & Contract-Hydro) year 2006, in NHAI, METRO, MEDICITY; 2006-2008, In LU, AU, MRIIRS 2009-2021) under notification of CMD.

c) For an order directing the respondents No 4 , North eastern electrical power corporation to allow Gazette of the Govt of India for the post of Director , according to the present gazette the petitioner is one of the Director of the respondent no 4 North eastern electrical power corporation, New Delhi/shilling .

d) For an order directing the respondents No.27), Minster of power , govt of Sikkim to allow Gazette of the Govt of India for the post of chairman ,according to the present gazette the petitioner is one of the chairman of the respondent no. 27.

e) For an order directing the respondents No 1, Minster of power, to Register I original memorandum of association to Central Tribunal and allow for admission of filed case OA 4040/2016.

Issue a writ or in the nature of certiorari commending the respondent to certify the records of your petitioner's case to the Honorable court or cause them to be produced at the time hearing so that conscionable justice may be done to the petitioner.

Issue Rule Nisi in terms of the above prayers making rule absolute after hearing the causes shown or if no causes is shown and/to pass other order as to your lordship may seem fit and proper.

Grant costs.”

3. Though the aforesaid prayer clause is unintelligible, yet it seems that the petitioner wants judgment dated 30th July, 2019 as well as the review order dated 06th December, 2019 passed by learned Predecessor Division Bench to be referred to a Larger Bench.

4. It is pertinent to mention that by the aforesaid orders, learned Predecessor Division Bench had upheld the order of the Central Administrative Tribunal (CAT) holding that the Principal Bench, Delhi of CAT had no territorial jurisdiction to entertain and decide the petitioner's application as the petitioner has a dispute with the National Eastern Electric Power Corporation Limited (NEEPCO).

5. It is pertinent to mention that matters are referred to a Larger Bench when there is a conflict of judgments between two coordinate division benches or if a division bench believes that the earlier division bench's view requires reconsideration. In the present case, neither there is any conflict in the previous Division Bench judgment nor the previous Division Bench judgment in the petitioner's case suffers from any illegality or perversity.

6. If the petitioner is aggrieved by the Division Bench's order dated 30th July, 2019 and 06th December, 2019, he always has liberty to challenge the same in a superior forum. Consequently, present writ petition being bereft of merits is dismissed.

7. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

ASHA MENON, J

FEBRUARY 18, 2021

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