

\$~Suppl.-10

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

+ W.P.(C) 1896/2021

MUKESH MEENA

..... Petitioner

Through

Mr.Tushar Ranjan Mohanty,
Advocate.

versus

UNION OF INDIA & ANR.

..... Respondents

Through

Ms.Nidhi Bagga, Advocate.

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Date of Decision: 17th May, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

J U D G M E N T

MANMOHAN,J (Oral):

1. The petition has been heard by way of video conferencing.
2. Present writ petition has been filed challenging the order dated 14th December, 2020 passed by the Central Administrative Tribunal (hereinafter referred to as the 'CAT'). The petitioner further challenges the suspension of the petitioner beyond the initial 90 days and seeks direction to the respondents to pay full salary and allowances for this period and pay compound interest on money due to the petitioner.
3. During the hearing, it transpires that subsequent to the impugned order dated 14th December, 2020, the respondents have passed an order dated 13th January, 2021 extending the period of suspension of the petitioner.

4. Learned counsel for the petitioner states that even the subsequent order dated 13th January, 2021 has not taken into account one of the factors directed to be considered by the CAT by way of the impugned order i.e. purport of the order passed in the OA filed by Sandeep Yadav. He also submits that the petitioner is not being paid subsistence allowance in accordance with FR 53.

5. This Court finds merit in the submission of the learned counsel for the petitioner. Consequently, this Court directs the respondents to re-consider the issue of extension of suspension of the petitioner.

6. Let a reasoned order be passed by the respondents taking into account the aforesaid arguments urged by learned counsel for the petitioner within four weeks. This Court clarifies that it has not expressed any opinion on the merits of the controversy. All the rights and contentions of the parties are left open. With the aforesaid directions, the present writ petition is disposed of.

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

NAVIN CHAWLA, J

**MAY 17, 2021
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