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

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Date of decision: 24.11.2021

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W.P.(C) 13247/2021 & CM Nos.41808-10/2021

YOGENDRA MITTAL

..... Petitioner

Through : Mr. Vijay Aggarwal, Adv.

versus

UNION OF INDIA & ANR.

..... Respondents

Through : Mr. Gaurang Kanth, CGSC with Mr.
Shreesh Chadha, Adv. for UOI.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[Physical Hearing/Hybrid Hearing (as per request)]

RAJIV SHAKDHER, J. (ORAL):

CM Nos.41809-10/2021

1. Allowed, subject to just exceptions.

W.P.(C) 13247/2021 & CM No.41808/2021

2. The principal grievance of the petitioner is that his request for taking assistance of a legal practitioner has not been entertained by the Inquiry Officer.

2.1. Admittedly, the petitioner has approached the Central Administrative Tribunal [in short "the Tribunal"] with this grievance by way of an original application i.e., O.A.No.1766/2018.

3. Mr. Vijay Aggarwal, who appears on behalf of the petitioner [i.e., the original applicant], says that an application for advancing the date of hearing has been preferred in the subject O.A., which is not being listed.

3.1. On the other hand, Mr. Gaurang Kanth, who appears on advance notice on behalf of the respondent/UOI, draws our attention to Annexure –

L, appended to the writ petition, which is suggestive of the fact that a miscellaneous application [in short "M.A."] for advancing the date of hearing has been filed by the petitioner.

3.2. The aforesaid annexure also reveals that the M.A. is, apparently, lying in objections.

4. Given this position, the petitioner would do well to remove the objections vis-à-vis pending M.A., preferred for advancing the date of hearing.

4.1. Once objections are removed, the Registry of the Tribunal will place the M.A. before the concerned bench, without delay.

5. The writ petition is disposed of in the aforesaid terms. Consequently, pending application shall also stand closed.

RAJIV SHAKDHER, J

TALWANT SINGH, J

NOVEMBER 24, 2021

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[Click here to check corrigendum, if any](#)