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

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Date of decision: 21st April, 2023

+ W.P.(C) 5035/2023 & CM APPL.19708-10/2023

MANISH CHOUDHARY

..... Petitioner

Through: Mr. S. Rajappa and Mr. R.
Gowrishankar, Advocates

versus

**CHAIRMAN INDIAN RED CROSS SOCIETY
& ANR.**

.... Respondents

Through: Mr. L.R. Khatan, Advocate with Mr.
N.K. Singh, Deputy Secretary

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Vide the present petition, petitioner is seeking calling for the record of the M.A. No. 949/2023 in O.A. No. 347/2023 of learned Central Administrative Tribunal (CAT), Principal Bench, New Delhi, in so far as it relates to order dated 18.03.2023; quashing and setting aside of the order dated 18.03.2023 passed learned CAT, Principal Bench, New Delhi in aforesaid M.A.
2. It is not in dispute that pursuant to aforesaid order dated 18.03.2023, an order dated 13.04.2023 has already been passed by the respondents.
3. Case of petitioner is that learned Tribunal has passed a wrong order

vide its order dated 18.03.2023 whereby the order dated 07.02.2023 is modified.

4. Since the respondents have already acted upon vide order dated 13.04.2023 pursuant to order dated 18.03.2023 passed by learned Tribunal in M.A. No.949/2023, therefore, the proper remedy available with the petitioner is that he may challenge the order dated 13.04.2023 before the learned Tribunal.

5. Accordingly, we hereby dispose of present petition by giving liberty to petitioner, if so advised, that he may challenge order dated 13.04.2023 before learned Tribunal on all grounds available as per the law including competency/jurisdictional issue(s) in passing the order dated 13.04.2023. Pending applications stand disposed of.

Copy of this order be given *dasti* under signatures of Court Master.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

APRIL 21, 2023/rk