



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,**  
**NAGPUR BENCH : NAGPUR.**

**WRIT PETITION NO. 4652 OF 2008**

Union of India and others.

vs.

Shri Ram Narayan s/o Nathiram Sharma and another.

....

Ms M.R.Chandurkar, Advocate for petitioners.

Shri R. N. Sen, Advocate for respondent no.1.

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**CORAM :- NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.**

**DATE :- 3<sup>rd</sup> JANUARY 2024.**

P C.

On 2<sup>nd</sup> July, 2009 the petitioners in compliance with the order dated 8<sup>th</sup> April, 2009, decided the representation of the respondent no.1-employee and passed an adverse order which is not questioned by the respondent no.1-employee till this date.

2. As a sequel of above, this Court has passed consequential order on 8<sup>th</sup> November, 2023.

3. We have heard the learned counsel for the petitioner for some time.

4. In view of aforesaid development and having regard to the pursis dated 7<sup>th</sup> September, 2023 whereby the order dated 2<sup>nd</sup> July, 2009 is placed on record, the counsel for the respondent no.1-employee submits that the impugned order can be quashed and set aside and it shall be open for the respondent no.1-employee to question the order dated 2<sup>nd</sup> July, 2009 before the appropriate authority.

5. In view of the aforesaid statement, we deem it appropriate to quash and set aside the impugned order dated 25<sup>th</sup> April 2006 passed by the Central Administrative Tribunal in O.A.No.2049/2004/447/27/4/06.

6. We further observe that it shall be open for the respondent no.1-employee to question the order dated 2<sup>nd</sup> July, 2009 and such other consequential orders in accordance with law before the appropriate forum.

7. With these observations, writ petition stands disposed of. No costs.

Rule accordingly.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

*Andurkar.*