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

+ W.P.(C) 2554/2024

UNION OF INDIA & ORS.

..... Petitioners

Through: Mr.Ravi Prakash, CGSC with
Ms.Taha Yasin & Mr.Ashu Khandelwal, Advs.

versus

MUKESH KUMAR & ORS.

..... Respondents

Through:

+ W.P.(C) 2800/2024

NAVEEN KUMAR & ORS.

..... Petitioners

Through: Mr.Harpreet Singh & Mr.Jatin Kumar
Gaur, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Kavindra Gill & Mr.Gokul
Sharma, Advs.

Ms. Sriparna Chatterjee, Ms Soumita Chatterjee &
Mr. Manish Advs for R-4 to 15

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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26.02.2024

CM APPL. 11450/2024 & CM APPL. 11451/2024 in W.P.(C) 2800/2024

1. Exemption allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(C) 2554/2024 & CM APPL. 10469/2024 (stay)

W.P.(C) 2800/2024

3. The present writ petitions under Articles 226 & 227 of the



Constitution of India seeks to assail the orders dated 15.01.2024 and 23.01.2024 passed by the learned Central Administrative Tribunal (Tribunal) in C.P. No. 34/2024.

4. After the matters were heard at some length on the last date, the office of the Principal Chief Commissioner, CGST, Delhi Zone has passed an order on 23.02.2024 directing that the promotion order dated 12.01.2024 will be kept in abeyance till further orders. A copy of the said order has been handed over in Court and is taken on record.
5. In the light of the aforesaid, once the UOI has complied with the direction under the impugned order, we do not see any reason to entertain the present writ petitions any further. However, taking into account the plea of the petitioners in W.P.(C) 2800/2024 that they were always treated as senior to the private respondents right from the seniority list issued in 2018, we are of the view that the matter should be expeditiously decided as the fate of the petitioners in W.P.(C) 2800/2024, cannot be left at the mercy of the respondents, who, it is claimed, were treated as juniors in the numerous seniority lists issued from 2018 to 2023. It is however, noted that the respondents deny that they were treated as junior to the petitioners in W.P.(C) 2800/2024. Taking into account the nature of directions, which we propose to pass, we are refraining from delving into this aspect at this stage.
6. The petitions are, accordingly, disposed of by directing the learned Tribunal to decide O.A.No.939/2023, including the preliminary objections which have been raised by the petitioners herein, within a period of three weeks from today. Even though we are conscious of the fact that the learned Tribunal is pressed for time, we are being



compelled to issue such directions as we find that the petitioners in W.P.(C) 2800/2024 were promoted on 12.01.2024 but as a result of the order dated 23.02.2024, their promotion has now been directed to be kept in abeyance. The learned Tribunal will, therefore, proceed with the aforesaid O.A. without giving any adjournment to any of the party.

7. The petitions along with pending application, stand disposed of in the aforesaid terms.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 26, 2024

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