



\$~46

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

+ W.P.(C) 5928/2024, CM APPL. 24624/2024-Interim Dir., CM APPL.
24625/2024 -Exp.

UNION OF INDIA AND ANR

..... Petitioners

Through: Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh, Adv.

versus

VIKAS CHANDER MALIK AND ORS

..... Respondents

Through: Mr. Sachin Chauhan, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

29.04.2024

%

1. The present petition filed under Article 226 of Constitution of India seeks to assail the order dated 30.03.2022 passed by the learned Central Administrative Tribunal (the Tribunal) in O.A. No. 634/2022. Vide the impugned order, the learned Tribunal while issuing notice in the OA has granted an interim stay in favour of the respondent/applicant.

2. The grievance of the petitioner as articulated by Ms. Nidhi Raman, learned counsel for the petitioner is that despite the petitioner having moved an application for vacation of stay in the MA No. 1002/2023 in February, 2023 itself, the said application is not being taken up for consideration by the learned Tribunal. She, therefore, prays that the learned Tribunal be directed to dispose of the petitioners' pending application for vacation of



stay at the earliest.

3. On the other hand, learned counsel for the respondents, who appears on advance notice, submits that the pleadings in the OA in itself are complete and in fact the matter is already listed as part heard on 07.05.2024. The same was on the last date adjourned only at the request of learned counsel for the petitioners. Learned counsel for the petitioner does not deny this position.

4. Taking into account that the OA is already part heard before the Tribunal and was on the last date adjourned at the request of learned counsel for the petitioner, we do not see any reason to pass any such direction to the learned Tribunal to take up the petitioners' pending application for disposal on the next date. However, taking into account that the matter is already heard, it is expected that the Tribunal will endeavour to decide the OA as expeditiously as possible.

5. The petition stands disposed of in the aforesaid terms.

REKHA PALLI, J

SAURABH BANERJEE, J

APRIL 29, 2024/rr