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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 9875/2019, CM APPL. 40823/2019 -Delay 300 days.

CM APPL. 40824/2019 -Stay.

DIRECTOR OF ESTATES & ORS

..... Petitioners

Through: Mr. Rajesh Gogna, Adv.

versus

ANIRUDDHA KUMAR

..... Respondent

Through: Mr. Nishant Kumar, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

26.02.2024

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1. The present petition under Article 226/227 of the Constitution of India seeks to assail the order dated 16.11.2018 passed by the learned Central Administrative Tribunal (Tribunal) in O.A. No. 3248/2016. Vide the impugned order, the learned Tribunal had quashed the petitioners' communications dated 06.09.2016 and 09.09.2016, vide which allotment of the quarter made in favour of the respondent was cancelled.
2. We find that present petition has remained pending before this Court ever since with no interim orders being passed in favour of the petitioners. Consequently, in the meanwhile, the respondent has superannuated on 31.08.2021 and has accordingly, handed over the vacant possession of the subject quarter to the respondents.
3. We also find that in the light of these circumstances, learned counsel



for the petitioners was on 18.05.2022 granted time to obtain instructions as to whether the petitioners would still like to pursue the present petition. Today, he submits that he has instructions to press the petition as it is their stand that in case this Court holds that the cancellation orders dated 16.09.2016 and 09.09.2016 were correct, the respondent would be liable to pay damages to the petitioners.

4. Having given our thoughtful consideration to the aforesaid pleas of the petitioners and perused the record, we are of the view that taking into account that after the cancellation orders dated 09.09.2016 and 16.09.2016 were quashed by the learned Tribunal, the respondent has superannuated, it is not a fit case where in exercise of the writ jurisdiction, this Court should interfere with the impugned order.
5. The writ petition is, accordingly, dismissed.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 26, 2024

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