



2024:DHC:8673-DB



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

+ **W.P.(C) 15585/2024 & CM APPL. 65379/2024**

SANJAY GIHARPetitioner

Through: Mr. Sanjay Dubey and Mr.
Abhigyan, Advocates

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Rohan Jaitley, CGSC with
Mr. Hussain Taqvi, GP, Mr. Dev Pratap
Shahi, Mr. Yogya Bhatia and Ms. Ranjana
Jetley, Advocates for R-1 & R-2

Mrs. Avnish Ahlawat, Standing Counsel
with Mr. Nitesh Kumar Singh, Ms.
Laavanya Kaushik, Ms. Aliza Alam and Mr.
Mohnish Sehrawat, Advocates for R-3

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER (ORAL)

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08.11.2024

1. The prayer clause in the writ petition reads thus:

“PRAYER

In light of the above facts and circumstances, it is most respectfully
prayed that this Hon'ble Court may be pleased to:

a) Granting an immediate stay on the operation of the two
Office Memorandums dated 07.02.2024 and 28.03.2024 to
the extent that no coercive actions are taken against the
Petitioner till final disposal of OA No. 3527 /2024 and
pass appropriate time bound directions to CAT, PB at New
Delhi to dispose of the instant OA expeditiously.

b) Pass any further orders as this Hon 'ble Court may deem

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fit and proper in the facts and circumstances of the case.”

2. We are informed that for the very same prayer, stay applications have been filed by the petitioner in OA 3527/2024 which are listed for hearing on 27 November 2024.

3. We have apprised learned Counsel for the petitioner that in these circumstances this writ petition cannot be entertained before this Court. He, therefore, prays that a direction may be issued to the learned Central Administrative Tribunal¹ to decide the stay applications.

4. We, therefore, dispose of this writ petition with a request to the Tribunal to take up and decide the prayer for stay of the OMs dated 7 February 2024 and 28 March 2024, as urged by the petitioner before the Tribunal in accordance with law on the next date of hearing which is 27 November 2024.

5. This petition is disposed of accordingly.

C.HARI SHANKAR, J

DR. SUDHIR KUMAR JAIN, J

NOVEMBER 8, 2024

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Click here to check corrigendum, if any

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¹ “the Tribunal” hereinafter

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