



2025:DHC:434-DB



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

Date of decision: 27.01.2025

+ **W.P.(C) 409/2025**

MOHD SADAT ASHRAF & ORS.

.....Petitioners

Through: Mr.Govind Manoharan,
Ms.Samiksha Godiyal,
Mr.Tenzing Namgyal Bhutia,
Mr.B.D.Rao Kundan, Advs

versus

DELHI WAQF BOARD THROUGH & ORS.Respondents

Through: Mr.Firoz Iqbal Khan, ASC,
Mr.Sajid Ahmed, Mr.Mohd.
Faizan, Mr.Danish, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL.2075/2025 (Exemption)

1. Allowed, subject to all just exceptions

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2. This petition has been filed by the petitioners, challenging the Order dated 22.10.2024, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in M.A. No. 3894/2024 in O.A. No. 3509/2023. The petitioners further pray for a direction to the learned Tribunal to hear, consider, and decide the *interim* relief as prayed for in the abovementioned Original Application or, in the alternate, direct the respondents to reinstate the petitioners in the services.



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3. By the Impugned Order dated 22.10.2024, the learned Tribunal has observed that the Original Application itself is scheduled for hearing on 29.10.2024 and, therefore, there cannot be a more expedited hearing. The learned Tribunal has, in fact, also granted liberty to the petitioners to mention the matter immediately after the part-heard or five regular hearing matters, if it appears that the turn of their matter is unlikely to be reached.

4. We fail to understand why this order is still being challenged before us. The petitioners herein cannot seek preferential treatment over other similarly placed petitioners before the learned Tribunal. This Court, in exercise of its power under Article 226 of the Constitution of India, is not supposed to govern the Board of the learned Tribunal. The learned counsel for the respondents states that, in fact, the original application is listed tomorrow before the learned Tribunal. In spite of this, the learned counsel for the petitioners press this petition, which has forced us to impose the costs. This petition is, therefore, completely misconceived and seems to be luxury litigation.

5. Accordingly, we dismiss this petition with costs quantified at Rs.15,000/- collectively on the petitioners, to be deposited with the 'Delhi High Court Legal Service Committee', within a period of three weeks from today.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 27, 2025/Arya/DG

Click here to check corrigendum, if any