



2025:DHC:10840-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 02.12.2025***

+ W.P.(C) 2931/2019 & CM APPL. 13620/2019, CM APPL. 49499/2023, O.A.(APPLT) 2/2023

SHRI BHAGWAT SWAROOP GUPTAPetitioner

Through: Mr. Arun Panwar, Adv.

versus

DELHI JAL BOARD AND ANR.

.....Respondents

Through: None

CORAM:**HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed challenging the Order dated 11.02.2019 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in M.A. No. /100/5201/2018 in O.A. No. /100/4182/2018, titled ***Bhagwat Swaroop v. Delhi Jal Board, Govt. of NCTD***, whereby the learned Tribunal declined to grant the *interim* relief to the petitioner in the O.A. pending before it, while observing as under:

"MA No. 5201/2018 has been filed for an ex parte ad interim stay of the order No.205 dated 08.08.2018. The Tribunal did not consider it necessary to pass an ex parte ad interim stay earlier and now at the final stage when OA has only to be heard on merits, there is no ground for interim relief and the MA is accordingly dismissed."



2. This Court, by its Order dated 26.03.2019, taking note of the submissions made by the petitioner, had stayed the operation of the penalty imposed upon the petitioner, while also clarifying that the proceedings before the learned Tribunal shall continue without being influenced by the *Interim* Order passed by this Court. We quote the Order as under:

“The petitioner is aggrieved by the fact that the Tribunal has not granted interim protection to the petitioner against the imposition of the penalty directing cut in his pension. The first submission of the petitioner is that the enquiry itself was initiated after the petitioner had superannuated without the sanction precedent as envisaged by Rule 9(2)(b)(i) of the CCS Pension Rules. The second submission is that even according to the respondents there was no pecuniary loss suffered by the respondents in respect of the alleged misconduct attributed to the petitioner. In this regard our attention has been drawn to the statement of article of charge against the petitioner, wherein it is recorded that the amount of Rs.3,03,844/-, Rs.99,630/- & Rs.8,736/- collected by one Shri Om Prakash Beldar was deposited belatedly by him in the treasury of the Delhi Jal Board on 12.07.2012, 28.07.2012 & 16.10.2010 respectively. In view of the aforesaid, till the next date the operation of the penalty imposed upon the petitioner shall remain stayed. In the meantime, the proceedings before the Tribunal shall continue without being influenced by the interim order passed by this Court.”

3. Though more than six years have since passed, we are informed that the O.A. is still pending adjudication before the learned Tribunal and is now listed before the learned Tribunal on 03.02.2026.



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4. We, therefore, confirm the Order passed by us on 26.03.2019 and the same to operate during the pendency of the O.A.
5. We further request the learned Tribunal not to grant any adjournment in the hearing of the O.A. on 03.02.2026, and to make an endeavour to proceed for hearing the same on the said date and dispose it of preferably within a period of three months thereafter.
6. In the above terms, the petition, along with the pending applications, is disposed of.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 2, 2025/b/P/ik