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

+ W.P.(C) 4678/2024

ASHOK KUMAR SAPRA AND ORS.Petitioners
Through: Mr. Ajai Kumar Srivastava,
Advocate.

versus

THE COMMISSIONER MUNICIPAL CORPORATION OF
DELHI & ORS.Respondents
Through: Dr. Divya Swamy, SC for MCD,
with Ms. Akriti Singh, Ms. Nidhi
Kumar and Mr. Rishan Ranjan,
Advocates.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
10.02.2025

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**CM APPL. 7912/2025 (for transfer of case to Central Administrative
Tribunal)**

1. The petitioners have filed this application for transfer of the petition to the Central Administrative Tribunal ["the Tribunal"] on the ground that the Tribunal has jurisdiction under the Administrative Tribunal Acts, 1985.
2. It is the petitioner's contention that the petition was filed before this Court in emergent circumstances due to the fact that the Tribunal was not functioning at that time.
3. The respondents are represented, and have no objection to the relief sought.

W.P.(C) 4678/2024

Page 1 of 2



4. At the request of Mr. Ajai Kumar Srivastava, learned counsel for the petitioner, the writ petition is dismissed as withdrawn, with liberty to institute fresh proceedings before the Tribunal.

5. In order to ensure expeditious proceedings, it is open for the petitioner to file the pleadings filed in this Court, before the Tribunal. The Tribunal can then decide whether any further pleadings are required.

6. By order dated 01.04.2024, the respondents were directed to continue with the services of the petitioner by executing fresh agreements, without prejudice to the rights and contentions of the petitioners raised in the captioned writ petition, and subject to the outcome of the petition. The said interim order will continue for a period of four weeks from today, subject to further orders to be passed by the Tribunal. It is made clear that the Tribunal is free to pass such interim and final orders as it considers necessary, and the interim order passed by this Court will not prejudice the rights and contentions of the parties.

PRATEEK JALAN, J

FEBRUARY 10, 2025
SS/AD/