



2025:DHC:6196-DB



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

Date of decision: 28.07.2025

- + **W.P.(C) 8106/2023 & CM APPL. 31203/2023**
- + **W.P.(C) 8224/2023 & CM APPL. 31558/2023, CM APPL. 42189/2023**
- + **W.P.(C) 8319/2023 & CM APPL. 31878/2023**
- + **W.P.(C) 8342/2023 & CM APPL. 31908/2023**
- + **W.P.(C) 8370/2023 & CM APPL. 31997/2023**

S K VERMA

.....Petitioner

Through: **Mr.Aditya Kumar & Ms.Ila
Nath, Advs**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr.Gautam Narayan, Sr. Adv.,
Ms.Asmita Singh, Ms.Disha
Joshi, Mr.Anirudh Anand &
Ms.Gunita Tandon, Advs.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. These petitions have been filed by the petitioner challenging the Order dated 19.05.2023 passed by the learned Administrative Tribunal, Principal Bench, New Delhi (in short, 'Tribunal') on the applications filed by the petitioner herein. By the said applications, the petitioner was seeking recall of the orders dated 16.09.2022 transferring the OA(s) filed by the petitioner from the Kolkata Bench to the Principal Bench at New Delhi.



2. The Orders dated 16.09.2022 had been passed on the concession given by the learned counsel then appearing for the petitioner. The petitioner sought recall of the said Orders by contending that the concession was not given on his instructions, and further that as he was a resident of Chandigarh, the OA(s) ought to be transferred to Chandigarh Bench.
3. The respondent had taken an objection, both at the time of the Orders of 16.09.2022 and even in the Impugned Order, that the petitioner was, in fact, a resident of Ghaziabad, Uttar Pradesh.
4. The Order dated 16.09.2022 reflects that once this objection was taken, the Counsel for the petitioner, on instructions from the petitioner, stated that he would be satisfied if the OA(s) are transferred to New Delhi.
5. Be that as it may, neither in the Orders dated 16.09.2022 nor in the Impugned Orders, the fact that the petitioner is a resident of Ghaziabad has been verified nor its effect on the Transfer Petitions considered on merit.
6. In view of the peculiar circumstances of the case, we set aside the Orders dated 16.09.2022 and also the Orders dated 19.05.2023 passed by the learned Tribunal. We restore the Transfer Petitions before the learned Tribunal to their original members.
7. The learned Tribunal shall consider these Transfer Petitions on their own merits, remaining uninfluenced by the Orders dated 16.09.2022 or the Impugned Orders dated 19.05.2023.
8. We further clarify that we have not expressed any opinion on



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the merits of the matter, and all contentions of both the parties in such Transfer Petitions shall remain open to be adjudicated by the learned Tribunal.

9. The petitions, along with the pending applications, are disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

JULY 28, 2025/rv/ys/VS