



2025:DHC:1485-DB



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

+ **W.P.(C) 6801/2024**

ANAND RAM

.....Petitioner

Through: Ms. Mansi Gupta, Adv. and
Ms. Taha Yasin, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Rishab Sahu, Sr. PC with
Mr. Gokul Sharma, GP for UOI

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

JUDGMENT (ORAL)

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05.03.2025

C. HARI SHANKAR, J.

1. The petitioner approached the Central Administrative Tribunal¹ by way of OA 3808/2022 with two prayers. The first was for a direction to the respondents to regularise his services from 1995 when his juniors were regularised, with consequential benefits. The second was for grant of the benefit of the Old Pension Scheme.

2. The Tribunal has dismissed the OA on the ground of delay, merely advertng to prayer A which was for grant of regularisation.

3. Ms. Mansi Gupta, learned Counsel for the petitioner submits

¹ "the Tribunal", hereinafter



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that her client is not pressing prayer A and is only pressing prayer B.

4. Apropos prayer B, on the aspect of limitation, Ms. Gupta places reliance of the judgment of the Supreme Court in *UOI v Tarsem Singh*² We note that the Tribunal has extracted the paragraph from *Tarsem Singh* on which Ms. Gupta places reliance in para 4.4 of the impugned order. However, there is no finding of the Tribunal on prayer B of the OA either on delay or on merit.

5. Learned Counsel for both sides are agreeable to the OA being remanded to the Tribunal for consideration afresh regarding prayer B, both on delay and on merits.

6. Accordingly, this writ petition is disposed of by remanding the OA for consideration of the Tribunal by upholding the order of the Tribunal, insofar as it finds prayer A in the OA to be barred by time.

7. However, prayer B in the OA would be considered *de novo* by the Tribunal. It shall be open to the petitioner to place reliance on the decision in *Tarsem Singh* or any other judgment, on the aspect of delay.

8. In order to expedite matters, let both parties appear before the Tribunal on 27 March 2025. We request the Tribunal to take up the matter on the said date and decide it as expeditiously as possible, preferably within a period of eight weeks from that date.

² (2008) 8 SCC 648



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9. The writ petition is disposed of in the aforesaid terms, with no orders as to costs.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MARCH 5, 2025/aky

Click here to check corrigendum, if any