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

+ **W.P.(C) 822/2026**

**COMPTROLLER AND AUDITOR GENERAL OF INDIA &
ORS.**

.....Petitioners

Through: Dr. S. S. Hooda, Mr. Shaurya
Banshtu, Mr. Manpreet Singh,
Advs.

versus

VINAY PRATAP SINGH

.....Respondent

Through: Ms. Aanchal Anand, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.01.2026

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CAV 27/2026

1. Since learned counsel for the Respondent has entered appearance, the Caveat stands discharged.

W.P.(C) 822/2026 and CM APPL. 4066/2026 (stay)

2. The present Writ Petition, filed by the Petitioners, assails the correctness of the order dated 19.12.2025 [hereinafter referred to as 'Impugned Order'] passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred 'Tribunal'], whereby the preliminary objection raised by the Petitioners with regard to territorial jurisdiction has been rejected.

3. The Respondent was appointed as an Auditor in the State of Maharashtra and was subsequently deputed to the office of the Petitioner No.3, Principal Accountant General (Audit-I), Prayagraj, Uttar Pradesh. The Respondent's wife is stated to be serving as a Constable in the State of Uttar Pradesh. It is further stated that the Respondent has a child suffering from Down Syndrome.



4. The deputation period of the Respondent having come to an end, an application seeking extension was made, which was not acceded to. Therefore, upon completion of the maximum permissible deputation period, an order of repatriation was issued by the competent authority in Uttar Pradesh. Aggrieved thereby, the Respondent filed O.A. No. 4898/2025 before the Principal Bench of the Tribunal at New Delhi.

5. The Tribunal, *vide* the Impugned Order, has directed the Petitioners not to take any coercive steps for a period of fifteen days and, in the meanwhile, to maintain *status quo* as existing on the date of the order. Aggrieved thereby, the Petitioners have filed the present Writ Petition under Article 226 of the Constitution of India.

6. This Court has heard the learned counsel appearing for the parties at length.

7. Learned counsel appearing for the Petitioners contends that while dealing with the question of interim relief, the Tribunal has effectively rendered a final opinion on the issue of territorial jurisdiction. It is submitted that the Principal Bench at New Delhi lacks territorial jurisdiction to entertain the Original Application and that the jurisdiction, if any, lies with the Tribunal at Uttar Pradesh.

8. *Per contra*, learned counsel appearing for the Respondent submits that the Tribunal has merely passed an interim order and that the Original Application is still pending consideration before the Tribunal.

9. Having regard to the aforesaid submissions and the nature of the order impugned, this Court is of the view that the matter does not warrant interference at this stage. Accordingly, the present Writ Petition is disposed of with the observation that the Tribunal shall



proceed to decide the Original Application finally, as expeditiously as possible, preferably within a period of two months from today.

10. It is clarified that the question of territorial jurisdiction of the Principal Bench at New Delhi is kept open and shall be decided by the Tribunal independently and afresh, uninfluenced by any observations made in the Impugned Order or in the present proceedings.

11. Since the issue pertains to the repatriation of the Respondent to his parent cadre, it is expected that the Tribunal shall adhere to the timeline indicated above.

12. With the aforesaid observations, the Writ Petition along with the pending application is disposed of.

ANIL KSHETARPAL, J.

ANISH DAYAL, J.

JANUARY 21, 2026/sp/pal