



\$~70

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

+ W.P.(C) 519/2026, CAV 17/2026, CM APPL. 2503/2026 and
CM APPL. 2504/2026

DELHI DEVELOPMENT AUTHORITYPetitioner

Through: Mr. Arun Birbal and Mr. Sanjay
Singh, Advs.

versus

R. K. GOGIARespondent

Through: Mr. Sourabh Ahuja, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

%

15.01.2026

1. The present Petition has been filed assailing the correctness of the order dated 23.05.2025 [hereinafter referred to as 'Impugned Order'] passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi [hereinafter referred to as 'Tribunal'] in O.A. No.373/2024 captioned ***R. K. Gogia vs. DDA & Ors***, while invoking the extra ordinary jurisdiction of this Court under Article 226 of the Constitution of India.

2. The Tribunal has held that, in the absence of any specific order withholding leave encashment, the Respondent, who has retired, is entitled to the release of leave encashment benefits.

3. Learned counsel representing the Petitioner has submitted that, after the Impugned Order was passed by the Tribunal, a specific order to that effect has been passed on 23.09.2025 by the Delhi Development Authority (Annexure – P-5). If that be so, the Petitioner has passed a subsequent order and, as such, is not assailing the correctness of the Impugned Order. Whether the subsequent order is



valid or not shall be examined as and when the validity of such order is to be challenged. Upon realizing these facts, learned counsel representing the Petitioner seeks permission to withdraw the present Petition in order to take an appropriate defense in the pending Contempt Petition.

4. Accordingly, the present Petition, along with pending applications, stands dismissed as withdrawn.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

JANUARY 15, 2026

s.godara/ra