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

+ W.P.(C) 5510/2012

O.P.BIRDI

.....Petitioner

Through: Mr. Rajesh Srivastava, Adv.

versus

DELHI TRANSPORT CORPORATIONRespondent

Through: Mr. Akshat Tiwary, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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07.01.2026

1. The Petitioner wishes to confine his arguments in the present petition to the penalty order passed by the Disciplinary Authority on 31.08.2007.
2. This Court has heard the learned counsel representing the parties at sufficient length.
3. After arguing at length, the learned counsel representing the parties have arrived at a consensus. They admit that the O.A. filed on 24.11.2010 could be entertained and decided on merits with respect to challenge to the appellate order dated 31.08.2007, particularly in view of the fact that the initial O.A. filed by the Petitioner in September, 2009 was permitted to be withdrawn on 31.08.2010 with liberty to file a fresh one, which in fact was filed on 24.11.2010.
4. Keeping in view the aforesaid position, the Impugned Orders dated 01.11.2011 and 09.01.2012 passed by the Central Administrative Tribunal [hereinafter referred to as 'Tribunal'] are modified/set-aside to the extent they relate to challenge to the order



dated 31.08.2007.

5. The matter is remitted back to the Tribunal to re-decide the Petitioner's O.A., with respect to the challenge of order dated 31.08.2007 on merits, without raising any objections on the issue of limitation.

6. The parties, through their respective learned counsel, are directed to appear before the Tribunal on 05.02.2026.

7. Accordingly, the present Petition is disposed of.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

JANUARY 07, 2026

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