

\$~2 - 4

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

+ **W.P.(C) No.8123/2012 & CM No. 20193/2012 (for stay)**

SH. LAKCHMAN & ANR.

..... Petitioners

Through: Mrs.Jyoti Singh, Senior Advocate
with Ms.Sahila Lamba and
Mr. Manjeet Singh, Advocates.

Versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Rajeeve Mehra, ASG with
Mr.Sumeet Pushkarna, CGSC and
Mr. Gaurav Sharma, Advocates for
Respondents with Mr. Shiv Kumar,
UDC, Govt. of India Press.

AND

+ **W.P.(C) No.8124/2012 & CM No. 20194/2012 (for stay)**

SH. NARENDER KUMAR & ORS.

..... Petitioners

Through: Mrs.Jyoti Singh, Senior Advocate
with Ms.Sahila Lamba and
Mr. Manjeet Singh, Advocates.

Versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Rajeeve Mehra, ASG with
Mr.Sumeet Pushkarna, CGSC and
Mr. Gaurav Sharma, Advocates for
Respondents with Mr. Shiv Kumar,
UDC, Govt. of India Press.

WP(C) Nos. 8123-25/2012

Page 1 of 4

Signature Not Verified

Signing Date: 26.09.2024 17:09:52
Certify that the digital and physical file have
been compared and the digital data is as per
the physical file and no page is missing.

2

AND

+ W.P.(C) No.8125/2012 & CM No. 20195/2012 (for stay)

SH. SATPAL SINGH & ORS. Petitioners
Through: Mrs.Jyoti Singh, Senior Advocate
with Ms.Sahila Lamba and
Mr. Manjeet Singh, Advocates.

Versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Rajeeve Mehra, ASG with
Mr.Sumeet Pushkarna, CGSC and
Mr. Gaurav Sharma, Advocates for
Respondents with Mr. Shiv Kumar,
UDC, Govt. of India Press.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
26.12.2012

%

1. Since all these petitions raise identical issues, therefore, we are disposing of all the aforementioned petitions by a common order with consent of the learned counsels for the parties.
2. Briefly stated, the present petitions are directed against the order dated 20.12.2012 passed by the Central Administrative Tribunal (CAT), Principal Bench, New Delhi. The petitioners are aggrieved with the show cause notices dated 27.11.2012, whereby show cause notices have been issued by respondent No.3 as to why their services should not be terminated

as per the judgment passed by this Court on 20.07.2010 in W.P.(C) No. 26/2009.

3. Ms.Jyoti Singh, learned senior counsel appearing on behalf of the petitioners has submitted that in the aforesaid judgment, the Division Bench of this Court specifically mentioned that since appointment in the unreserved category and the ST category were not in question, therefore, the Court directed that needful would be done only in respect of the SC and OBC candidates and not in respect of the unreserved category and ST category candidates. She further submitted that the present petitioners are from the unreserved category and therefore, the redrawn panel on the basis of the seniority is contrary to the aforesaid judgment delivered by this Court.

4. The learned CAT has dismissed their application being premature. We are also of the same opinion that the present petitions are not maintainable being premature.

5. However, in the facts and circumstances of the case, let the respondents take the decision, but the same shall be implemented only after seven days of its communication to the petitioners.

6. We here make it clear that if the petitioners are aggrieved with the decision of the respondents, they may have liberty to challenge the same before the appropriate Forum in accordance with law.

7. In view of the above, the instant petitions alongwith the pending applications are disposed of.

4

8. A copy of this order be given *dasti* to the learned counsels for the parties under the signatures of the Court Master.



SURESH KAIT, J.



PRATIBHA RANI, J.

DECEMBER 26, 2012

sb