

\$~27(2021)

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

% **Date of decision: 30.11.2021**

+ **W.P.(C) 13531/2021 & CM Nos.42683-85/2021**

MANASH KUMAR GHOSH Petitioner

Through : Mr. Pradeep Dahiya, Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through : Mr. V.S.R. Krishna, Mr. V. Shashank
Kumar and Mr. Shailendra Tiwary,
Advs. for R-1, 3, 4 and 5.

Ms. Vandana Mishra, Adv. for Mr.
Chanda Kumar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[Physical Hearing/Hybrid Hearing (as per request)]

RAJIV SHAKDHER, J. (ORAL):-

CM Nos.42684-85/2021

1. Allowed, subject to just exceptions.

W.P.(C) 13531/2021 & CM No.42683/2021 [*Application filed on behalf of
the petitioner for interim relief*]

2. This writ petition is directed against the interlocutory order dated
29.10.2021, passed by the Central Administrative Tribunal [in short “the
Tribunal”] in O.A. No. 2264/2021.

2.1. Mr. Pradeep Dahiya, who appears on behalf of the petitioner, says
that, although, the interim relief was sought, it was not granted and the
matter has now been fixed by the Tribunal for final hearing on 17.12.2021.

3. To be noted, the petitioner is aggrieved by the fact that he has been
repatriated to his parent department.

3.1. It is not in dispute [something which has been noticed in the

impugned order] that the petitioner stands relieved from the post which he was holding as deputationist.

4. We are told by Mr. Dahiya that, apart from respondent no.5, all other respondents have filed their replies to the petitioner's O.A., which is pending before the Tribunal.

4.1. Mr. V.S.R. Krishna, who appears on behalf of respondent nos.1, 3, 4 and 5, assures the court that a reply on behalf of respondent no.5 will be filed, within five days from today.

4.2. The statement of Mr. Krishna is taken on record.

4.3. It is also made clear that in case, a reply on behalf of respondent no.5 is not filed within the time indicated above, no further opportunity shall be granted by the Tribunal.

5. The writ petition is, thus, disposed of, with a request to the Tribunal to take up the matter for final hearing on 17.12.2021 and dispose of the same, after hearing all concerned.

5.1. Consequently, pending application shall also stand closed.

6. The case papers shall stand consigned to record.

RAJIV SHAKDHER, J

TALWANT SINGH, J

NOVEMBER 30, 2021/aj

Click here to check corrigendum, if any