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

+ **W.P.(C) 6701/2024**

GOVT OF NCT OF DELHI AND ORS

..... Petitioner

Through: Ms. Avnish Ahlawat, SC, GNCTD
with Mr. Nitesh Kumar Singh, Ms. Laavanya
Kaushik, Ms. Aliza Alam, Mr. Mohnish Sehrawat,
Advs.

versus

PRINCE KASANA

..... Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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10.05.2024

CM APPL. 27932/2024 -Ex./LLOD.

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

W.P.(C) 6701/2024 & CM APPL. 27931/2024 -Stay.

3. The present writ petition under Articles 226 and 227 of the Constitution of India seeks to assail the order dated 15.09.2023 passed by the learned Central Administrative Tribunal (the Tribunal) in O.A. No. 571/2016. Vide the impugned order, the learned Tribunal has set aside the penalty of forfeiture of service imposed on the respondent in the departmental proceedings as also the report dated 10.11.2014 of the Enquiry Officer and the appellate order dated 10.12.2015 by holding that the findings of the Enquiry Officer was perverse.
4. Upon the petitioners taking steps, issue notice to the respondent through all permissible modes. Counter affidavit, if any, be filed within



six weeks. Rejoinder thereto, if any, be filed within four weeks thereafter.

5. Till the next date, the operation of the impugned order will remain stayed.
6. List on 14.10.2024.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 10, 2024
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