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

+ **W.P.(C) 12577/2019**

SH. AJAB SINGH

..... Petitioner

Through **Mr. Surinder Kumar Gupta, Advocate**

versus

UNION OF INDIA AND ORS.

..... Respondents

Through **Mr. Manish Mohan, CGSC with Ms. Saakshi Aggrawal, GP for the UOI.**

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **02.12.2019**

CM.APPL 51400/2019 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

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Mr.Gupta, learned counsel for the petitioner submits that the Central Administrative Tribunal (the 'Tribunal') has failed to take into consideration that the respondents did not comply with Rule 14(18) of the CCS(CCA) Rules, 1965. He submits that the Tribunal has observed that the petitioner is governed by Gramin Dak Sevam (Conduct & Engagement) Rules, whereas in the counter reply filed by the respondents a specific stand has been taken that they have followed the procedure as laid down in the CCS(CCA) Rules, 1965. The relevant paragraph of the counter reply which finds mentioned on page 243 of the paper book has been relied upon. The second ground urged is that the witnesses on whose testimonies the charge was framed, were not called for deposition, especially in the light of an affidavit filed by them stating their denial of having made any statements. Copy of the affidavit has



also been placed on record.

Notice to show cause as to why the petition be not admitted. Learned counsel for the respondents accepts notice.

Respondents to place an affidavit on record, primarily addressing the above two issues which have been flagged by the learned counsel for the petitioner.

List on 03.04.2020.

G.S.SISTANI, J

ANUP JAIRAM BHAMBHANI, J

DECEMBER 02, 2019

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