



2025:DHC:3731-DB



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

Date of decision: 14.05.2025

+ W.P.(C) 5262/2025 & CM APPL. 23936/2025

UNION OF INDIA & ANR.Petitioners

Through: Mr. Syed Abdul Haseeb, CGSC

versus

RAJ KUMARRespondent

Through: *Nemo.*

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (Oral)

1. This petition challenges the Order dated 11.01.2023 passed by the learned Central Administrative Tribunal (PB), New Delhi (hereinafter referred to as 'learned Tribunal') in O.A. No. 2 of 2019, titled *Raj Kumar vs. Union of India & Anr.*, allowing the O.A. filed by the respondent herein and directing the petitioner herein to grant all consequential benefits to the respondent in accordance with relevant rules and instructions, pursuant to the setting aside of the show cause notice dated 12.08.2016, impugned disciplinary Order dated 23.09.2016, and the appellate Order dated 13.11.2018.

2. The present petition has been filed on or about 02.04.2025, that is, more than two years after the passing of the Impugned Order. No explanation has been tendered by the learned counsel for the



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petitioners for this delay. We further note that the learned Tribunal in its impugned Order had set aside the inquiry proceedings as being in violation of Rule 15(2) of CCS (CCA) Rules, 1965 and on a finding that the show cause notice issued to the respondent communicating the disagreement of the Disciplinary Authority with the findings of the Inquiry Officer's report did not give any reasons for the said disagreement.

3. Keeping in view the above and the enormous delay in filing of the petition, and even though the Limitation Act, 1963 does not apply to a Writ Petition filed under Article 226 read with 227 of the Constitution of India, only on the ground of delay and laches, we do not deem it proper to interfere with the Impugned Order in exercise of our extraordinary jurisdiction.

4. Accordingly, the present petition along with the pending application is dismissed on account of delay and laches.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MAY 14, 2025

Sc/kz/ik

Click here to check corrigendum, if any