



2025:DHC:3263-DB



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

Date of decision: 29.04.2025

+ W.P.(C) 5485/2025

SHAMIM AKHTAR TAMANNAPetitioner

Through: Mr. Amresh B., Mr. Yash
Maurya, Advs.

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Nishant Gautam, CGSC
with Mr. Abhinav Bhardwaj,
GP, Mr. Vipul Verma, Mr.
Vinay Kaushik, Mr. Prithviraj
Dey, Advs. for UOI.
Mrs. Avnish Ahlawat, SC,
GNCTD with Mr. Nitesh Kr.
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (Oral)

CM APPL. 25017/2025(Exemption)

1. Allowed, subject to all just exemptions.

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2. This petition has been filed, praying for the following reliefs:-

“a) Issue a writ of mandamus or any other appropriate writ, order, or direction to the Hon’ble Central Administrative Tribunal, Principal Bench, New Delhi to decide the issue of challenge to the impugned suspension order dated 08.12.2015 (Annexure P- 2) and further



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quash the set aside the impugned order dated 17.07.2018 (Annexure P-5) as the same suffer from manifest errors of illegality, unconstitutionality and arbitrariness and malafides; and

b) Issue a writ of mandamus or any other appropriate writ, order, or direction to the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi to decide the issues of challenge to the impugned suspension orders dated 08.03.2024 (Annexure P- 11), 05.06.2024 (Annexure P-12) and 29.11.2024 (Annexure P- 14) as the same suffer from manifest errors of illegality, unconstitutionality and arbitrariness and malafides; and/or

ALTERNATIVELY

c) Issue a writ of mandamus or any other appropriate writ, order, or direction quash the set aside the impugned order(s) dated 08.12.2015 and 17.07.2018 (Annexure P-2 and Annexure P-5) in Original Application No. 1615 of 2019 and the impugned suspension orders dated 08.03.2024, 05.06.2024 and 29.11.2024 (Annexure P-11, Annexure P-12 and Annexure P-14) as the same suffer from manifest errors of illegality, unconstitutionality and arbitrariness and malafides.”

3. From the above prayer, it appears that the petitioner wishes for this Court, in exercise of its power under Article 226 of the Constitution of India, to govern the calendar of the learned Central Administrative Tribunal (hereinafter referred to as ‘Tribunal’). The Supreme Court in ***Allahabad High Court Bar Assn. v. State of U.P. & Ors.***, (2024) 6 SCC 267, has held that in the ordinary course, the



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Constitutional Courts should refrain from fixing a time-bound schedule for the disposal of cases pending before any other Courts.

We may quote from the said Judgment as under:

“47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending;”

4. In view of the above, we cannot govern the listing of matters before the learned Tribunal or direct that priority be accorded to some case over another. The petitioner can make the request made in the prayers before us, to the learned Tribunal and we are sure that the learned Tribunal will consider the same in accordance with law.

5. The petition is, accordingly, disposed of.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

APRIL 29, 2025/ab/mn/ik

Click here to check corrigendum, if any