



2026:DHC:2928-DB



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

+ W.P.(C) 4431/2026, CM APPLs. 21744/2026 & 21745/2026

UNION OF INDIA & ORS.Petitioners

Through: Mr. Vikrant Nilesh Goyal, SPC
with Mr. Yash Basoya, Mr. Inderpreet Singh
and Mr. Kunal Dixit, Advocates.

versus

KASIM KHAN & ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER(ORAL)

06.04.2026

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C. HARI SHANKAR, J.

1. We are disturbed by the fact that this writ petition has been filed challenging a consent order. We may reproduce, for ready reference, paras 6 to 11 of the impugned order dated 5 March 2025 passed by the Central Administrative Tribunal as under:

“6. Learned counsel for the applicants after arguing for sometime submits that the applicants would be satisfied if direction is issued to respondents to consider applicants' representations (**Annexure A-1**) in light of Order dated 19.12.2024 in OA No.260/00339/2020 as stated in M.A. No.695/2025 filed on 13.01.2025.

7. Ms. Manu Priya Verma Rawat, learned counsel for the respondents fairly submits that pending representations shall be considered in light of Order dated 19.12.2024 in OA No.339 /2020 (CAT Cuttack Bench).



8. Heard with consent. We have considered the matter in view of above submissions, without expressing any opinion on the merits of the present case. Applicants have already filed MA No.695/2025 to dispose of the OA in hand in same terms as decided vide order dated 19.12.2024 by Cuttack Bench of this Tribunal in **O.A. No.260/00339/2020 [Subrat Ranjan Mallick & Ors. v. Surveyor General of India & Ors.]**.

9. In view of the above, we deem it just and proper that the principles of natural justice would be met and hereby direct the respondent/Competent Authority to consider each contention of the pending representations of the applicants and take a decision in light of and considering order dated 19.12.2024 passed in **O.A. No.260/00339/2020 [Subrat Ranjan Mallick & Ors. v. Surveyor General of India & Ors.]** by passing a reasoned and speaking order, within a period of sixty (60) days from date of receipt of certified copy of order passed today and *consequences shall ensure*.

10. Needless to say, we have not expressed any opinion on the merits of the case and respondents are free to decide pending representation of the applicant in accordance with law, without being influenced by any observation made in this order.

11. In view whereof, the present OA stands disposed of at admission stage itself in above indicated terms.”

2. Mr. Goyal, who appears for the petitioners, fairly submits that the order passed by the Cuttack Bench of the Tribunal in OA in **Subrat Ranjan Mallick** was also carried in appeal with the High Court of Orissa, unsuccessfully.

3. He has however submitted that this writ petition was filed on instructions from the official respondents.

4. In view of the fair stance taken by Mr. Goyal, we refrain from awarding costs in this matter which, otherwise, we were inclined to do.



2026:DHC:2928-DB



5. We make it clear that writ petitions challenging orders passed by consent, similar to this, may not, hereafter, meet with such a lenient approach.

6. The writ petition is accordingly dismissed in *limine*.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

APRIL 6, 2026/pa