



2026:DHC:8054-DB



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

CNR No. DLHC010442292026

+ **W.P.(C) 13634/2026 & CM APPL. 63656/2026, CM APPL. 63657/2026, CM APPL. 63658/2026, CM APPL. 63659/2026**

NATIONAL TECHNICAL RESEARCH ORGANISATION & ORS.Petitioners

Through: Mr. Balendu Shekhar CGSC
Mr. Krishna Chaitanya, Mr. Rajkumar
Maurya and Mr. Divyansh Singh Dev, Adv.

versus

DINESH KUMARRespondent

Through: Mr. Sachin Chauhan, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE VINOD KUMAR

JUDGMENT (ORAL)

% **17.09.2026**

C. HARI SHANKAR, J.

1. This writ petition assails orders dated 22 April 2024 in OA 3626/2023 and 25 February 2026 in RA 75/2025.

2. OA 3626/2023 was earlier challenged before this Court by way of WP (C) 2534/2025. We had, by our order dated 28 February 2025, expressed our disinclination to interfere with the decision in the OA as it was passed as per the submissions made by the parties before the Tribunal.



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3. We, however, reserved liberty with the petitioner to move an application before the Tribunal whether by way of a review or any other such application as advised in accordance with law, further pointing out that if any such application is moved, it would be decided by the Tribunal on its own merits.

4. Pursuant to the liberty granted by us, the petitioner moved RA 75/2025 before the Tribunal, which has been dismissed by the Tribunal in circulation by order dated 25 February 2026.

5. Issue notice, returnable forthwith.

6. Notice is accepted by Mr. Chauhan on behalf of the respondents.

7. Mr. Chauhan points out that the RA was not dismissed in circulation. Mr. Chauhan is technically correct. However, we find from the order that the RA was dismissed merely following a dismissal of an earlier RA 172/2025 which was itself dismissed in circulation without hearing the parties.

8. We are only inclined, at this stage, to remand RA 75/2025 to the Tribunal for reconsideration after hearing the parties. We say nothing further on the merits of the RA. It would be for the petitioner to convince the Tribunal that, though the order in the OA was passed as per the submissions made by the Counsel for the petitioner, nonetheless, a case for review is made out. We do not express any



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further opinion on the issue.

9. We make it clear that we are passing the present order only for the reason that, when the RA was filed by the petitioner pursuant to the liberty granted by us, we are of the opinion that the Tribunal ought not to have dismissed it merely relying on an earlier order which was passed without hearing the parties, in circulation.

10. For this sole reason, the order dated 25 February 2026 in RA 75/2025 is quashed and set aside. RA 75/2025 is remanded before the Tribunal for reconsideration after hearing the parties. It would be for the Tribunal to take a view on the RA as well as on the issue of whether a review would be justified keeping in mind the fact that the order under challenge in the RA was passed as per the submissions made by learned Counsel for the petitioner.

11. We do not intend, in any way by this order, to control or curtail the discretion of the Tribunal to take a view on the matter one way or the other.

12. The writ petition is disposed of in the aforesaid terms.

13. In order to expedite hearing, we direct the parties to appear before the Tribunal on 25 September 2026.



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14. Neither side would be entitled to take adjournment on the said date.

C. HARI SHANKAR, J

VINOD KUMAR, J

SEPTEMBER 17, 2026/dsn