

(2020) 07 DEL CK 0179

In the Delhi High Court

Case No : Civil Writ Petition No. 4543 Of 2020, Civil Miscellaneous Application No. 16413, 16414 Of 2020

Dr. Neera Vyas

APPELLANT

Vs

Ministry Of Ayush & Ors.

RESPONDENT

Date of Decision : 27-07-2020

Acts Referred:

Constitution Of India, 1950 — Article 226, 227
Code Of Civil Procedure, 1908 — Section 151

Citation : (2020) 07 DEL CK 0179

Hon'ble Judges : Siddharth Mridul, J; Talwant Singh, J

Bench : Division Bench

Advocate : Sagar Saxena, Archana Gaur, . Rupali Kapoor, S. N. Verma

Final Decision : Disposed Of

Judgement

Siddharth Mridul, J

The present matter has been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

CM APPL.16416/2020 (Exemption)

Exemption allowed, subject to all just exceptions.

The application is disposed of accordingly.

CM APPL.16415/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/petitioner seeking exemption

from filing the certified copy of the impugned order 15.072020, typed copies of the annexure, duly attested/notarized affidavits in support of the

accompanying petition as well as applications and to pay the requisite court fees.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/petitioner is allowed to file the duly signed, attested and notarized affidavits within a period of one week from the date of resumption of regular functioning of the Court. Further, the applicant/petitioner is allowed to file the requisite court fee within a period of 72 hours from the date of resumption of regular functioning of the Court. The applicant/petitioner is also granted exemption from filing the certified copy of the impugned order 15.072020 and typed copies of dim annexure, subject to all just exceptions.

The application is disposed of accordingly.

W.P.(C) 4543/2020

1. The present writ petition under Articles 226 and 227 of the Constitution of India, assails an interlocutory order dated 15.07.2020, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the "CAT"), in M.A. No. 1105/2020 in O.A.

No.904/2019.

2. After some arguments and in view of the circumstance that, the Original Application instituted on behalf of the petitioner, is still pending adjudication before the CAT, counsel appearing on behalf of the petitioner limits the relief in the present petition to a direction to the CAT to determine the O.A.

No.904/2019, instituted by him and pending adjudication, as expeditiously as, possible.

3. Issue notice.

4. Counsel as above, accept notice on behalf of the respondents.

5. Having heard learned counsel appearing on behalf of the parties and perused the impugned order dated 15.07.2020, in the backdrop of the instant

writ petition; the only course that commends itself to us, is to request the CAT, to expedite the hearing of the subject O.A. No.904/2019, upon an

appropriate application for early hearing being instituted by the petitioner herein in this behalf, before the CAT; and to adjudicate the O.A. itself,

preferably within a period of three months, from the first date of hearing of the said application for early hearing.

6. No further directions are called for.

7. With the above directions, the writ petition is disposed of. The pending

applications also stand disposed of.

8. A copy of this judgment be sent to the Principal Registrar, CAT for necessary information and compliance and also be uploaded on the website of this Court forthwith.