

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL [C] NO. _____/2025
[@ SLP [C] NO.21656/2022]

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

DAVINDER NATH & ORS.

Respondent(s)

O R D E R

Application for impleadment is allowed.

Application for condonation of delay in filing
the application for setting aside abatement is
allowed.

Abatement is set aside.

Application for substitution is allowed.

Leave granted.

The High Court, in our considered view, ought
not to have passed the impugned judgment by
dismissing the Writ Petition filed by the appellants
only on the ground of delay, without taking note of
the substantial issues raised and the fact that there
was an intervening COVID period. In any case, the
challenge was to the order passed by the Central
Administrative Tribunal and there are arguable issues
involved. The decision passed by the High Court will
have a cascading effect.

Considering the above, we are inclined to grant one more opportunity to the appellant to contest the matter before the High Court on merits.

In such view of the matter, the impugned order stands set aside and the matter stands restored on the file of the High Court in order to be decided on merits.

The appeal stands allowed accordingly.

Pending application(s), if any, shall stand disposed of

.....J.
[M.M. SUNDRESH]

.....J.
[RAJESH BINDAL]

NEW DELHI;
FEBRUARY 03, 2025.

ITEM NO.41

COURT NO.8

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 21656/2022

[Arising out of impugned final judgment and order dated 05-05-2022 in CWP No. 4059/2022 (O&M) passed by the High Court of Punjab & Haryana at Chandigarh]

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

DAVINDER NATH & ORS.

Respondent(s)

IA No. 180677/2023 - APPLICATION FOR CONDONATION OF DELAY IN FILING
 THE APPLICATION FOR SETTING ASIDE THE ABATEMENT

IA No. 180674/2023 - APPLICATION FOR SUBSTITUTION

IA No. 150614/2023 - INTERVENTION/IMPLEADMENT

IA No. 181934/2022 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES

IA No. 180675/2023 - SETTING ASIDE AN ABATEMENT

Date : 03-02-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s)

Mr. Mukesh Kumar Maroria, AOR [N.P.]

For Respondent(s) Mr. Arvind Kumar Singh, Adv.

Mr. Randhir Kumar Ojha, AOR

Mr. Vishal Arun, AOR

UPON hearing the counsel the Court made the following
O R D E R

Application for impleadment is allowed.

Application for condonation of delay in filing
 the application for setting aside abatement is
 allowed.

Abatement is set aside.

Application for substitution is allowed.

Leave granted.

The appeal stands allowed accordingly.

**Pending application(s), if any, shall stand
disposed of.**

**(ASHA SUNDRIYAL)
DEPUTY REGISTRAR**

**(ANJALI PANWAR)
COURT MASTER (NSH)**

[Signed order is placed on the file]