



2026:DHC:3695-DB



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 6467/2017  
D.C. MISHRA .....Petitioner  
Through: Petitioner in person

versus

UNION OF INDIA & ORS .....Respondents  
Through: Mr. Gagan Gupta, Mr.  
Shitanshu & Ms. Mishika Gupta, Advs.

+ W.P.(C) 6481/2017  
D.C. MISHRA .....Petitioner  
Through: Petitioner in person

versus

INDIAN COUNCIL OF AGRICULTURAL RESEARCH &  
ORS .....Respondents  
Through: Mr. Gagan Gupta, Mr.  
Shitanshu & Ms. Mishika Gupta, Advs.

+ W.P.(C) 6496/2017  
D.C. MISHRA .....Petitioner  
Through: Petitioner in person

versus

INDIAN COUNCIL OF AGRICULTURAL RESEARCH &  
ORS .....Respondents  
Through: Mr. Gagan Gupta, Mr.  
Shitanshu & Ms. Mishika Gupta, Advs.



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**CORAM:**  
**HON'BLE MR. JUSTICE C. HARI SHANKAR**  
**HON'BLE MR. JUSTICE OM PRAKASH SHUKLA**

**JUDGMENT (ORAL)**

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**29.04.2026**

**C. HARI SHANKAR, J.**

1. The order of the Tribunal which is under challenge in these writ petitions at the instance of the applicant before the Tribunal in OA 4022/2012, OA 4023/2012 and OA 905/2014 reads as under:

“The applicant, who has filed these Original Applications, appears in person seeks adjournment to argue the matter on some other date.

2. It is seen from record that these are very old matters and on one pretext or the other have been adjourned day after day. Therefore, no further adjournment is allowed.

3. I have gone through the files and the following clearly are made out:-

(1) No one in his peer group wants to work with the applicant (Annexure R-4 makes it abundantly clear).

(2) Even the non ministerial staff including Sr. non ministerial staff such as UDCs of the office found it difficult to work with the applicant. In fact, it appears that he was violent with some of them.

(3) The applicant, though a Senior Scientist, has not behaved in a manner behaving his status/qualification.

(4) Consistently he has avoided duty and this has led to his adverse APAR's.

4. Therefore, all these OA Nos.4022/2012, 4023/2012 and OA 905/2014 are dismissed.

5. At this stage the applicant came up with a submission that



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he would like to hire a counsel. Such a request at this stage cannot be entertained and hence was rejected. Moreso, as it is clearly a ploy to avoid an adverse order.

6. I would have imposed a heavy cost upon the applicant for wasting the time of his superiors and peers as well as this court. However, it appears to me that there is, perhaps, some underlying reason why a qualified person should behave like this. Therefore, let a copy of this order be sent to Director General, I.C.A.R., so that he may get the applicant examined through a medical board in a Government hospital to ascertain whether the applicant needs any help for mental disabilities. No costs.”

2. To say the least, the order makes for very unhappy reading. The mere fact that the OAs may have been pending for some time does not empower the Tribunal to act in pique and pass an order without any comprehensive consideration of the merits of the case.

3. We find that even a request by the petitioner to engage a counsel was brushed aside. The concluding sentence of para 6 of the order, which we feel hesitant to even repeat, is possibly its most unfortunate part.

4. Courts, and high judicial Tribunals such as the Central Administrative Tribunal, are expected to exercise balance and restraint. The Tribunal had no authority, whatsoever, to doubt the mental stability of the petitioner. The Tribunal ought to have borne in mind the fact that a judicial order leaves its imprint on the lives of the persons involved much after the ink on the order has dried, and that expressing doubts regarding the mental stability of the litigant before it may have lasting socio-personal effects.

5. At the same time, we are sanguine that this order is an



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aberration.

**6.** Though Mr. Gagan Mathur, learned Counsel for the respondent, did advance some arguments, given the nature of the order which has been passed, we are left with no option but to set it aside and remand these OAs for fresh consideration to the Tribunal. We expect the consideration to be dispassionate and on the merits of the matter.

**7.** The parties may appear before the Tribunal on 14 May 2026.

**8.** We have not expressed any view on the merits of the matter. All issues would be open for argument before the Tribunal when the matter reaches.

**9.** The parties would not seek any adjournment before the Tribunal on the date fixed.

**10.** As the OAs are of 2012 and 2014, nearly 13 years as on date, and the petitioner has also compulsorily retired from service, we request the Tribunal to deal with these OAs with due expedition, preferably within three months when the matter is listed before the Tribunal.

**11.** The impugned order is quashed and aside.

**12.** The writ petitions stand disposed of in the aforesaid terms.

**13.** Both sides would be permitted to place written submissions on



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record not exceeding six pages each before the Tribunal to facilitate hearing.

**C. HARI SHANKAR, J.**

**OM PRAKASH SHUKLA, J.**

**APRIL 29, 2026/dsn**