

(2018) 03 DEL CK 0096

In the Delhi High Court

Case No : W.P.(C) 2014 Of 2018 & CM 8287 Of 2018

Ashok Kumar

APPELLANT

Vs

Jamia Millia Islamia & Ors

RESPONDENT

Date of Decision : 05-03-2018

Acts Referred:

Citation : (2018) 03 DEL CK 0096

Hon'ble Judges : SUNIL GAUR

Bench : Single Bench

Advocate : Mr. Vishrut Raj, Mr. Anubhav Mehrotra, Mr. Rajesh Gupta, Mr. Swaroop George, Mr. Apoorv Kurup, Ms. Ishal Mital, Mr. Bhagwan Swarup Shukla, Mr. Suraj Kumar, Mr. Kamal Deep

Final Decision : Disposed Of

Judgement

1.The grievance of petitioner is that he had applied for the post of Reader in the Department of Adult and Continuing Education

and Extension and though he was selected, but he was not appointed. In the first round of litigation, respondent-University was called upon not to take

final decision till the Visitor decides the Reference made to him by respondent-University regarding appointment on the post in question. Vide

Communication of 29th July, 2009 (Annexure P-2), a recommendation was made to appoint petitioner on the post of Reader in Department of Adult

and Continuing Education and Extension and accordingly, petitioner was appointed as Reader in the year 2009.

2. To seek promotion from backdate i.e. from November, 2006, petitioner, for the first time, had sent a Representation of 11th January, 2018

(Annexure P-7) to respondent and in the said Representation, cancellation of promotion granted to Ms. Shikha Kapoor as a Lecturer (Selection

Grade) w.e.f. 24th September, 2006 is also sought. According to petitioner's counsel, Ms. Shikha Kapoor's designation in her salary slips of

the year 2012-17 is shown to be that of an Associate Professor. Learned counsel for respondents submits that this petition is hit by delay and laches.

3. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition while leaving the question of delay and laches open

and with direction to first respondent to consider petitioner's Representation (Annexure P-7) and pass a speaking order thereon within a period of

six weeks and the fate of the Representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies as

available in law, if need be.

4. With aforesaid directions, this petition and the application are disposed of.