

(2018) 01 DEL CK 0525

In the Delhi High Court

Case No : Civil Writ Petition No. 738 Of 2018, Civil Miscellaneous No. 3117 Of 2018

Pradeep Kumar

APPELLANT

Vs

District & Sessions Judge (Headquarters)

RESPONDENT

Date of Decision : 24-01-2018

Acts Referred:

Citation : (2018) 01 DEL CK 0525

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Rajat Aneja, Rashmi Verma, Sanjay Dewan, Palak Rohmetra

Final Decision : Disposed Of

Judgement

Sunil Gaur, J

1. Petitioner was promoted as Judicial Assistant on 23rd August, 2017. In this petition, promotion to the post of Judicial Assistant is claimed w.e.f. 13th

June, 2008, while claiming parity with employees at Serial Nos. 170 to 183 (except Sl. No.177) in the Order of 23rd August, 2017 (Annexure P-6). To

seek the relief claimed in this petition, petitioner had made a Representation on 25th September, 2017, followed by a reminder on 17th November, 2017

(Annexure P-7 colly). According to petitioner's counsel, there is no response to these Representations. However, it is submitted that the case of

petitioner is fully covered by O.M.No.22011/4/2007-Estt.(D) of 28th April, 2014 issued by Department of Personnel & Training (Annexure P-9) and

by the relevant extract of Swami's compilation on Seniority and Promotion (Annexure P-8).

2. Since petitioner's Representation of 25th September, 2017, (Annexure P-7

colly) has not been responded to, therefore, this petition is disposed of with direction to respondent to pass a speaking order thereon within eight weeks.

3. At this stage, counsel for petitioner submits that this writ petition be treated as a Representation and speaking order be passed thereon. Instead of adopting such a course, it is deemed appropriate to permit petitioner to make a concise Representation to respondent within a week. If such a Representation is received by respondent, it be considered and decided within eight weeks by passing a speaking order. The fate of 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.

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