

(2018) 01 DEL CK 0522

In the Delhi High Court

Case No : Civil Writ Petition No. 705 Of 2018, Civil Miscellaneous No. 3030, 3031 Of 2018

Rambir

APPELLANT

Vs

Jawaharlal Nehru University And Anr.

RESPONDENT

Date of Decision : 24-01-2018

Acts Referred:

Citation : (2018) 01 DEL CK 0522

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : Joby Varghese, Apurv Chandola, Nishant Rai, Monika Arora, Kushal Kumar

Final Decision : Disposed Of

Judgement

Sunil Gaur, J

1. Petitioner is a Professional Assistant in respondent-University, who had sought promotion to the post of Assistant Librarian and as per

recommendation of Departmental Promotion Committee (for short "DPC") of 14th September, 2017 (Annexure P-1), petitioner was not

considered for promotion for the reason that he did not fulfil the eligibility criteria.

2. Petitioner claims to be a Scheduled Caste candidate and according to petitioner's counsel, one post of Scheduled Caste category is still vacant,

but is likely to be filled up soon by convening a DPC without any notice to petitioner. Learned counsel for petitioner submits that petitioner is eligible to

be considered for promotion to the post of Assistant Librarian. Attention of this Court is drawn to the Rules relating to Recruitment to Non-Teaching

post (Annexure P-2) to assert that petitioner is having equivalent qualification and claims to parity with Smt. Mamta Rani, Smt. Ganga Thapliyal and

Smt. Shashi Bala Saini. In this regard, attention of this Court is drawn to RTI information (Annexure P-12). Learned counsel for petitioner submits

that Representation (Annexure P-15 colly.) was made on 15th November, 2017, but no response has been received.

3. Upon hearing, I find that petitioner's Representation (Annexure P-15 colly.) is in form of a complaint and RTI reply (Annexure P-15 colly.)

does not disclose as to how petitioner is not eligible for being promoted to the post of Assistant Librarian.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with permission to petitioner to make a concise

Representation to first respondent within a week from today, indicating as to how petitioner is eligible for promotion to the post of Assistant Librarian

on the basis of equivalent qualification. Upon receiving such a Representation, respondent No.1 shall pass a speaking order thereon within a week,

disclosing as to how petitioner is eligible/ineligible for being considered for promotion to the post of Assistant Librarian. The fate of the Representation

be made known to petitioner within two days thereafter. Till the fate of petitioner's Representation is made known to him, status quo as of today

in respect of post of Assistant Librarian in the reserved category i.e. Scheduled Caste Category, be maintained by respondents.

5. With aforesaid directions, this petition and the applications are disposed of.

Dasti to counsel for the parties.