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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7376/2015**

Date of Judgment : 07.08.2015

KAVITA RANI

..... Petitioner

Through : Mr. M. K. Bhardwaj, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS

..... Respondent

Through : Mrs. Harminder Oberoi, Advocate
for Mr. Devesh Singh, ASC for
R-1 & 2.

Ms. Biji Rajesh, Advocate for
Mr. Gaurang Kanth, Advocate for
R-3.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G.S.SISTANI, J. (ORAL)

CM APPL. 13584/2015

1. Exemption allowed subject to just exceptions.
2. Application stands disposed of.

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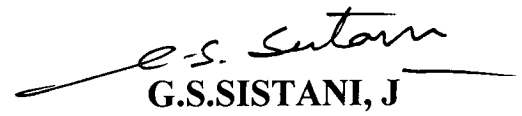
3. Learned counsel for the petitioner submits that the petitioner had approached the Central Administrative Tribunal by filing O.A. No. 1229/2014 wherein the petitioner had made a grievance that the respondents had appointed the candidates who had secured less marks than the applicant. Another grievance which was raised was that although the applicant had made a representation, the same

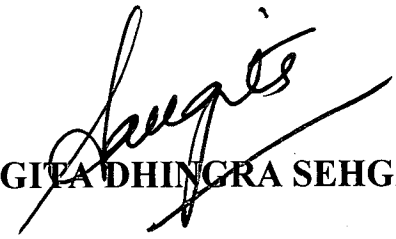
had not been decided by the department. While disposing of the O.A., the following order was passed:

“ 4. Taking into account the aforesaid facts, I dispose of this O.A. with a direction to the respondents to consider the representation of the applicant and pass a speaking order in the light of order of this Tribunal in O.A. No. 2937/2013 (Shri Parvesh Meena Vs. GNCTD & Ors.) and NDMC LPA No. 66/2000 within seven days of the receipt of a copy of this order. In case the applicant is dissatisfied with the order passed, he is at liberty to approach this Tribunal again challenging the department's decision.”

4. Pursuant to the directions contained in this order dated 11.04.2014, the respondents rejected the representation of the petitioner by an order dated 21.08.2014. The learned counsel for the petitioner submits that while disposing of the representation of the petitioner, the respondents showed scant regard of the directions so passed. It is also contended that instead of relying on the order in O.A. No. 2937/2013 (Shri Parvesh Meena Vs. GNCTD & Ors.) and NDMC LPA No. 66/2000, the department relied upon an overruled decision to defeat the legitimate claim of the petitioner. He further submits that another O.A. No. 1229/2014 filed, has been rejected by the learned Tribunal.
5. After some hearing in the matter, the learned counsel for the petitioner submits that he would assail the speaking order which has been passed in accordance with law.

6. All rights of the petitioner and all grounds raised by her in the present writ petition are kept open to be agitated in the appropriate court of jurisdiction.
7. Accordingly, the present writ petition stands disposed of.


G.S.SISTANI, J


SANGITA DHINGRA SEHGAL, J

AUGUST 07, 2015

SC