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

+ W.P.(C) 11607/2015 and CM No.30746/2015 (stay)

S.M. TANGRI Petitioner

Through: Mr.R.V.Sinha, Advocate.

versus

INDRAPRASTHA POWER GENERATION
COMPANY LIMITED & ORS.

..... Respondents

Through: Mr.Anuj Aggarwal and
Mr.Shubhanshu Gupta, Advocates for R-2.
Mr.Vinay Sabharwal and Mr.S.Wazim A. Qadri,
Advocates for R-3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

21.12.2015

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1. This petition is filed seeking a writ of *quo warranto* holding that the appointment of respondent No.3 as Assistant Engineer in the erstwhile Delhi Electric Supply Undertaking (DESU) as well as his subsequent promotions and present appointment as Executive Director of Indraprastha Power Generation Company Ltd. are null and void alleging that the respondent No.3 did not possess the degree in Electrical Engineering from a recognized university or equivalent.

2. Admittedly, the respondent No.3 was appointed in the year 1986 in the erstwhile Delhi Electric Supply Undertaking (DESU). It is not in dispute that the petitioner was also in the service of erstwhile DESU and retired from service of Indraprastha Power Generation Company Limited on attaining the age of superannuation. In fact, he was immediate junior to

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respondent No.3 while in service.

3. In spite of the fact that the petitioner was also in the same service, it is not known as to why he has not raised any objection all these years regarding the appointment of respondent No.3 without possessing the requisite qualification. No satisfactory explanation is forthcoming from the petitioner as to why he has taken up the cause at the fag end of service of respondent No.3 .

4. In the totality of the facts and circumstances of the case, the petitioner does not appear to be really interested in serving public good, but it appears to us that the petition is the outcome of personal rivalry. The law is well settled that only persons acting *bona fide* have locus standi to maintain writ petitions as PIL.

5. Hence, we decline to entertain this petition and the same is accordingly dismissed.


CHIEF JUSTICE



JAYANT NATH, J

DECEMBER 21, 2015/rb