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

+ **W.P.(C) 646/2016**

REECHA

..... Petitioner

Through: Mr. Manoj Goel with
Mr. Shhuvodeep Roy, Advs.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Kirtiman Singh, CGSC with
Ms. Sara Sondaram &
Mr. Waize Ali Noor, Advs. for R-1.
Mr. Naresh Kaushik with
Mr. Joymoti, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **25.01.2016**

CM No.2648/2016(exemption)

Allowed, subject to all just exceptions.

Application stands disposed off.

W.P.(C) 646/2016 with CM Nos.2646-2647/2016

We have examined the impugned order dated 23.12.2015 which declines the prayer made for interim relief to permit the petitioner to join the training and fixes the original application itself for hearing on 3rd February, 2016.

As the matter is now fixed for hearing before the Tribunal on 3rd February, 2016 and noticing the issue which has been raised, we are not inclined to interfere and issue an interim order directing the respondent

to permit the petitioner attend the training course. Eligibility of the petitioner as an OBC candidate is in issue and is being examined. We would observe and record that the finding recorded in order dated 23.12.2015 should be treated and regarded mere a tentative opinion and not a final or binding finding. The issue and question raised has not been decided and has to be adjudicated. The adjudication order to be passed will not take into consideration their prima facie view expressed in the order dated 23.12.2015. Neither the order dated 23.12.2015, nor this order would be read as an order expressing opinion on merits. We have noticed that the impugned order takes note of the anxiety of the applicant and has given a short date for expeditious hearing.

The writ petition is accordingly disposed off.

SANJIV KHANNA, J

NAJMI WAZIRI, J

JANUARY 25, 2016/ak