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

+ W.P.(C) 4840/2016 & CM No. 20177/2016

RAM SANJIVAN AND ANR Petitioners
Through: Mr. Parveen Kumar, Adv. for Mr. Y.S.
Chauhan, Adv.

versus

DELHI POLICE PUBLIC SCHOOL AND ANR Respondents
Through: Mr. Gautam Narayan, ASC with Mr.
R.A. Iyer, Adv. and Mr. M.I. Khan, DDE for R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **07.09.2016**

Pursuant to this Court's order dated 17.12.2015 passed in WP(C) No. 3397/2001, respondent no.1 the Delhi Police Public School has considered the representation of the petitioners and disposed it off by way of the impugned order (Annexure P-3). The school has rejected the petitioners' requests to be regularized in the employment of the School.

The services of petitioner no.1 Mr. Ram Sanjivan, who was a part-time helper in the school bus, was terminated/ dispensed with w.e.f. 01.05.2001. Effectively, he has not been in the employment of the school for over a decade and a half. Nevertheless Petitioner no.1 seeks regularization of his services. The Court is of the view that the issue of regularization would arise only if he was working in the school. In the absence of any current employment of petitioner no.1 with the school, the said relief cannot be granted.

Apropos petitioner no.2 Mr. Chhote Lal, the school does not have a vacant or sanctioned post for regularization. Petitioner no.2 is under contractual employment. In these circumstances, the school has rejected Mr. Chhote Lal's request as well. The learned counsel for the petitioners is unable to show anything from the record that shows that there is either a sanctioned or vacant post against which services of petitioner no.2 could be regularized. In the absence of a sanctioned or vacant post, petitioner no.2 cannot claim any regularization.

In view of the above, there is no ground for interference with the impugned order. The petition is without basis and is, accordingly, dismissed.

NAJMI WAZIRI, J

SEPTEMBER 07, 2016/kk