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

+ CM APPL.27052/2016 IN W.P. (C) 5700/2016

MONIKA WADHWA AND ANR Petitioners

Through: Ms. Saahila Lamba, Advocate.

versus

REGISTRAR GENERAL, HIGH COURT OF DELHI AND ORS

..... Respondents

Through: Ms. Anu Bagai, Advocate.

Mr. Sanjay Kapoor, Resp-2 in person.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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01.08.2016

The writ petitioners' claim is that their request for fixation of *inter se* seniority has not been considered. It is stated that their representations originally made in the year 2010 was kept pending to await the decision in *V.K. Mittal & Ors. v. Registrar General, Delhi High Court & Ors.* - W.P. (C)2836/2010. The judgment in *V.K. Mittal* was rendered on 21.01.2016. It essentially held that the mandate of Rule 5A of the Delhi High Court Staff (Seniority) Rules, 1971, i.e., confirmation was a necessary pre-condition, cannot be read down; it upheld the rule. It further noticed that the rota quota rule, according to which 25 persons/promotees to the cadre of Private Secretaries were entitled to be placed in the ratio of 1:3 vis-a-vis direct recruits (such

as the petitioners) was effectively deleted w.e.f. 21.11.2007. The petitioners in *V.K. Mittal* were promotees.

This Court was informed during the hearing that there is a change in the composition of the Committee which is to consider the petitioners' representations. Obviously, the representations would be considered in the light of *V.K. Mittal*'s decision. We request the Committee to dispose of the representation as expeditiously as possible. The date fixed, i.e. 08.08.2016 is hereby cancelled.

The writ petition is disposed of along with pending applications with liberty to the petitioners to approach this Court in the event the petitioners have a sustainable grievance.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

AUGUST 01, 2016

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