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

+ W.P.(C) 7605/2016 & CM APPL. 31296/2016, 39581/2016

MUKESH DAGAR Petitioner

Through: Dr. Maurya Vijay Chandra, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS Respondents

Through: Mr. Devesh Singh, ASC with Mr. Vinod
Kumar Bhati, Advocate for R-
1/GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

06.02.2017

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1. This petition by way of public interest litigation has been filed challenging the continuation of respondent No.4 herein as the Director of the respondent No.2/Chaudhary Brahm Prakash Ayurved Charak Sansthan and for consequential directions.
2. We have heard the learned counsel for both the parties and perused the counter affidavit filed on behalf of the respondents No.1 and 5.
3. Admittedly, the office of Director Principal, Chaudhary Brahm Prakash Ayurved Charak Sansthan fell vacant on 31.08.2015. Since then the respondent No.4 who was officiating as Director, AYUSH in the Department of Health and Family Welfare, Govt. of NCT of Delhi has been placed in additional charge of the Director Principal of respondent No.2. Alleging that the respondent No.4 does not satisfy the qualifications prescribed under the Recruitment Rules for the post of Director Principal, the present petition is filed contending that the respondent No.4 has no authority to continue to hold the post of Director Principal and

therefore he shall be restrained from continuing in the post of Director Principal by issuing a writ of quo warranto.

4. In the counter affidavit filed on behalf of respondents No.1 and 5, it is stated that the respondent No.4 has been posted as the Director Principal on temporary basis till a regular appointment is made. It is also stated that the recruitment process is already in progress for appointing a qualified person as the Director Principal of respondent No.2.

5. An additional affidavit has also been filed on behalf of the respondents No.1 and 5 explaining the various steps taken for selection and appointment of the Director Principal.

6. Mr. Devesh Singh, the learned ASC for GNCTD on instructions states that the recruitment process would be completed and the Director Principal on regular basis would be appointed within two months.

7. The statement of the learned ASC is placed on record and the writ petition is accordingly disposed of with a direction to appoint the Director Principal on regular basis within two months from today. The petitioner is at liberty to file a fresh petition in case such appointment is not made within the time fixed.

8. The writ petition is disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

FEBRUARY 06, 2017/ssc