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

+ W.P.(C) 3870/2017

AIR TRAFFIC CONTROLLERS GUILD (INDIA) Petitioner

Through: Mr. Saurabh Suman Sinha, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Rishabh Sahu, Adv. (Govt.
Pleader) for Mr. Sameer Sharma,
Adv. for R1.

Ms. Anjaya Gosain, Adv. for R2.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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05.05.2017

The present petition has been filed by the petitioner with the following reliefs:

“It is, therefore, prayed that in view of the aforesaid facts and circumstances made above this Hon’ble Court may kindly be pleased to:

- a) Grant a writ of or in the nature of mandamus or any other writ, order or direction to the Respondents to issue the Establishment Order for 449 posts pertaining to the year 2016 for which approval has already been granted by the AAI Board; and*
- b) Grant a writ of or in the nature of mandamus or any other writ, order or direction to the Respondents to convene a DPC to effect promotion on the posts created and pertaining to the year 2016 and promote eligible candidates thereon with effect from 2016 along with consequential benefits; and*
- c) Grant a writ of or in the nature of mandamus or any other writ, order or direction to the Respondent Ministry of Civil Aviation to release the posts in the Grade of E-8 and E-9*

created by the AAI Board on the basic of WCG report and the Expert Committee comprising of AAI Board Members for the years 2013, 2014, 2015 and 2016;

d) Pass such other and further order (s) as this Hon'ble Court may deem fit in the facts and circumstances of the present case.

Mr. Saurabh Suman Sinha, learned counsel appearing for the petitioner states that once a decision has been taken by the highest authority, i.e., the Board for creation of 449 posts in different grades in the ATM discipline, there is no justification for the respondents not to issue an establishment order in that regard and promote the eligible officers to different grades in the ATM discipline. He also states the representation dated 6th February, 2017 has remained unanswered.

Ms. Anjana Gosain, learned counsel appearing for respondent nos. 2 and 3 states that, if the representation dated 6th February, 2017 has not been disposed of, the same shall be disposed of within a period of 8 weeks.

Noting the aforesaid submissions, respondent shall dispose of the representation dated 6th February, 2017 if not disposed of with a reasoned order within 8 weeks from today. The petition is disposed of.

CM. No. 17052/2017

In view of the aforesaid order, this application has become infructuous and dismissed as such.

A copy of this order be given *dasti* to the learned counsel for the parties.

V. KAMESWAR RAO, J

MAY 05, 2017/jg