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

+ **W.P.(C) 11433/2016 and C.M. Appl. No. 44797/2016 (for stay)**

SANJAY GUPTA

..... Petitioner

Through: Mr. Mukul Gupta, Sr. Advocate with
Mr. Sumit Kr. Mishra, Advocate.

versus

THE INSTITUTE OF LIVER & BILIARY SCIENCES

..... Respondent

Through: Mr. Sanjay Poddar, Sr. Advocate with
Mr. Siddharth Panda, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **23.01.2017**

1. Learned senior counsel for the respondent could not dispute that the ratio of the judgment of the Constitution Bench of the Supreme Court in the case of *Faculty Association of AIIMS Vs. Union of India and Ors., (2013) 11 SCC 246* is binding upon the respondent. It also could not be disputed on behalf of the respondent that the post in question of Professor (Nephrology) is not only a super-speciality post but is a single post with the respondents.

2. In view of the afore-stated factual and legal position, this writ petition is allowed by directing the respondent not to reserve the post of Professor (Nephrology) in a reserved category.

3. The writ petition is accordingly allowed and disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

JANUARY 23, 2017

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