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

+ W.P.(C) 9045/2017

SNEHASHISH MUKHERJEE Petitioner
Through: Mr Khagesh B. Jha, Advocate.

versus

CHIEF SECRETARY, GNCTD AND ORS Respondents
Through: Mr Santosh Kr. Tripathi, ASC,
GNCTD.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **13.10.2017**

CM No. 36976/2017

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 9045/2017 and CM No. 36975/2017

3. The petitioner has filed the present petition, *inter alia*, impugning the notifications dated 26.09.2017, whereby the appointment of standing counsels for the Government of NCT and certain other departments was notified.

4. The learned counsel for the petitioner states that the advertisement for inviting applications for appointment as Standing Counsel and panel of counsels/pleaders for this Court and the Central Administrative Tribunal (hereafter 'CAT') was published on 14.09.2017. In terms of the said

advertisement the last date for submission of applications was stated to be 03.10.2017. He states that the petitioner submitted an application pursuant to the said advertisement, however, even prior to the expiry of the last date for submitting the applications, the impugned notifications have been issued appointing the Standing counsel and other panel counsel to represent GNCTD in this Court and the CAT. He submits that in the given circumstances, the impugned notifications are illegal and the appointments notified are liable to be set aside. He further states that the said appointments are also irregular as the council of law ministers have not been consulted.

5. The matter relating appointment as Standing Counsel and other Counsels to represent Government of NCT is strictly a matter of discretion of Government of NCT and there is no vested right for any person to insist on such appointment. The advertisement issued on 14.09.2017 had invited applications for appointment to a panel of pleaders/counsels and notwithstanding that the lat date of submission of applications has not elapsed, the Government of NCT cannot be interdicted from making any appointment at its discretion. Admittedly, it is not necessary that advertisements be issued for such appointments.

6. This Court is also not inclined to entertain the controversy whether the Council of Ministers of the Government of NCT/ the Department of Law have been consulted in this petition. In the event the concerned department and/or Council of ministers are aggrieved by on account of non consultation with them, it would be open for them to agitate the said issue.

7. In view of the above, this Court is not inclined to entertain the present

petition. The petition and the pending application are, accordingly, dismissed.

8. Order *dasti* under signatures of the Court Master.

OCTOBER 13, 2017
MK

VIBHU BAKHRU, J