

\$~23

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 11371/2017 & C.Ms. 46417-18-19/2017
MR. PRASANNAN T. N Petitioner
Through: Mr. Will Mathews, Advocate

Versus

STATE OF KERALA AND ORS. Respondents
Through: Mr. Nishe Rajen Shonker,
Advocate for respondents No.1 & 2

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
% **19.12.2017**

In this petition, a mandamus is sought to respondents No.1 & 2 to promote petitioner to the post of “*Telephone Operator*”.

At the outset, learned counsel for respondents No. 1 & 2 raises a preliminary objection to entertain this writ petition by drawing attention of this Court to a Notification of 25th August, 2010, vide which Kerala Administrative Tribunal was created w.e.f. 26th August, 2010. The submission of learned counsel for respondents No. 1 & 2 is that for the relief claimed herein, petitioner ought to have approached the said Tribunal.

Learned counsel for petitioner submits that petitioner is working in Kerala House in Delhi and has received a recent Communication of 8th December, 2017 (*Annexure P-15*) from second respondent, who is also

located in Delhi, stating that concurrence for petitioner's promotion is awaited. So, it is submitted that respondents, be directed to expedite the process.

Learned counsel for first two respondents submits that the jurisdictional aspect be left open and that he will ensure that second respondent's Communication of 8th December, 2017 (*Annexure P-15*) is taken to its logical end. That is to say, the concurrence for petitioner's promotion would be expedited.

In view of aforesaid, this petition and applications are disposed of while leaving the question of jurisdiction open and with the assumption that second respondent's Communication of 8th December, 2017 (*Annexure P-15*) would be expeditiously taken to its logical end.

(SUNIL GAUR)
JUDGE

DECEMBER 19, 2017

r