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

Date of Order: December 22, 2017

+ **W.P.(C) 11627/2017 & C.M. 47321/2017**

RAM AVTAR Petitioner
Through: Mr.Amit Anand, Advocate

versus

GOVT. OF NCT OF DELHI AND ORS. Respondents
Through: Ms.Palak Rohmetra, Advocate for
Ms.Avnish Ahlawat, Advocate for R-1
and R-4
Mr.Rhishabh Jetly, Advocate for
Ms.Pragnya Routray, Advocate for R-2
and R-3

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
ORAL

1. Vide impugned order of 8th November, 2017, petitioner's promotion to the post of Lower Division Clerk is directed to be treated as cancelled with retrospective effect i.e. from 24th September, 2011 and he stands reverted back to the post of Waterman. In this petition, quashing of impugned order of 8th November, 2017 (*Annexure P-1*) and restoration of petitioner on the post of Lower Division Clerk is sought.

2. Learned counsel for petitioner draws the attention of this Court to the post fixation (*Annexure P-4*) done on 6th October, 2016 which indicates that the post of waterman has been abolished. Learned counsel

for petitioner submits that without putting petitioner to notice, his promotion has been arbitrarily cancelled, which is in utter violation of the principles of natural justice. It is also submitted on behalf of petitioner that a petition seeking review of impugned order has been filed by petitioner on 14th November, 2017 and till date no response has been received.

3. Upon hearing and on perusal of impugned order (*Annexure P-1*), it is deemed appropriate to dispose of this petition with direction to respondent- *Directorate of Education* to pass appropriate orders upon petitioner's petition seeking review of impugned order within a period of four weeks and the fate of the representation be made known to petitioner within two weeks thereafter, so that petitioner may avail of the remedy as available in law, if need be. Till petitioner is apprised about fate of his representation, respondent-school would be at liberty to take whatever work they wish to take from petitioner.

4. With aforesaid directions, this petition is disposed of while making it clear that this Court has not expressed its view on the merits of the impugned order.

SUNIL GAUR
(JUDGE)

DECEMBER 22, 2017

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