

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

Date of Order: December 22, 2017

+ **W.P.(C) 11604/2017**

SAURABH AND ANR. Petitioners

Through: Mr.Puneet Kumar Rai, Advocate and
Mr.Neeraj Kumar Shah, Advocate

versus

SATYAWANTI COLLEGE AND OTHER Respondents

Through: Ms.Slomita Rai, Advocate for
Mr.Mohinder J.S.Rupal, Advocate for
DU
Mr.Apoorv Kurup, Advocate and Ms.Isha
Mital, Advocate for UGC

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

ORAL

CM No.47246/2017

Allowed subject to just exceptions.

W.P.(C) No.11604/2017 & CM No.47245/2017

1. In this petition, petitioners seek mandamus to first respondent to issue confirmation letters to petitioners who had applied for the post of Junior Assistant (Lower Division Clerk) in pursuance to an online advertisement. Learned counsel for petitioners submits that first petitioner was selected under unreserved category whereas the second petitioner was selected under reserved category and they have successfully completed the period of probation but still confirmation letters have not been issued to them although their appointments are

against permanent posts. Resolution of 7th December, 2017 of the governing body of respondent-school seeks ex-post facto approval for the two posts of Junior Assistants against which petitioners are working and this approval is sought from respondent-University Grants Commission (hereinafter referred to as UGC) with the rider that in case, no approval is received from respondent-UGC, then the two posts against which petitioners are working would be converted to contractual employment for a period of six months or till the posts are filled up on permanent basis, whichever is earlier.

2. Learned counsel for petitioners draws attention of this Court to a certificate of 28th November, 2017 issued to petitioner-Ashok Kumar by respondent-college, wherein it is clearly mentioned that petitioner-Ashok Kumar is a permanent employee of the college. The grievance of petitioners put forth is that two more similarly placed Junior Assistants who had joined with petitioners have been already confirmed, whereas petitioners are being discriminated without any basis. Learned counsel for petitioners submit that petitioners have made representation seeking issuance of confirmation letters to them on 14th December, 2017 to respondent-college but no response has been received till date.

3. Despite service of advance notice, none appears on behalf of first respondent.

4. In the facts and circumstances of this case, this petition is disposed of with direction to respondent-college to consider petitioners' representations within a period of four weeks and the fate of those representations be made known to petitioners within two weeks thereafter so that petitioners may avail of the remedies against impugned resolution

of 7th December, 2017 in accordance with law, if need be. Till the fate of petitioners' representations is conveyed to them, resolution of 7th December, 2017 of respondent-college be kept in abeyance. Respondent-college be apprised of this order forthwith, to ensure its compliance.

5. This petition and the accompanying application are accordingly disposed of.

Dasti.

**SUNIL GAUR
(JUDGE)**

DECEMBER 22, 2017

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