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

+ W.P.(C) 1277/2018 & CM No.5343/2018

YASHBIR & ANR

..... Petitioners

Through: Mr.Sudarshan Rajan, Mr.Ramesh
Rawat & Mr.Arjun Gadhoke, Advs.

versus

GOVERNMENT OF N.C.T. OF DELHI & ORS

..... Respondents

Through: Mrs.Avnish Ahlawat, Advocate with
Ms.Palak Rohmetra, Advocate for
R-1 to R-3
Mr.M.K.Bhardwaj, Advocate for R-4
to R-17

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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12.02.2018

1. The petitioners are aggrieved by the order dated 13.07.2018, passed by the Tribunal in O.A.No.2274/2017, filed by the respondents No.4 to 17, praying *inter alia* for directing the respondents No.1 and 2/Govt. of NCT of Delhi and respondent No.3/DSSSB to finalise the selection process for the post of DASS Grade-II, as per the examination scheme and criteria made in terms of Advertisement No.3/2013. Further, the petitioners have sought a declaration for declaring the action of the respondents No.1 to 3 of holding Tier I Examination on the basis of the main examination scheme dated 02.06.2017, as illegal.

2. The petitioners (respondents No.10 and 11 before the Tribunal) are primarily aggrieved by the delay on the part of the Tribunal in deciding the subject O.A. Learned counsel for the petitioners submits that by the impugned order dated 13.07.2017, the Tribunal had stayed the

holding of Tier II Examination in respect of the Advertisement No.3/2013 (Post Code No.40/13), which is adversely affecting the interest of the petitioners.

3. Mrs.Avnish Ahlawat, learned counsel for the respondents No.1 to 3, who appears on advance copy, submits that the Department is equally anxious that the O.A. be decided at the earliest as the entire examination process has been stalled.

4. It is the contention of the learned counsel for the petitioners that it is the counsel for respondents No.4 to 17 who has been delaying the proceedings, which has been vehemently denied by Mr.M.K.Bhardwaj, learned counsel for the respondents No.4 to 17. He states that the delay cannot be attributed to him as the Board of the Tribunal is very heavy and though the matter was listed on several dates after 23.06.2017 and 13.07.2017, and was even made part-heard at one stage, final arguments have yet to be concluded.

5. As we are informed that the next date of hearing before the Tribunal is 16.02.2018, it is deemed appropriate to dispose of the present petition with a request made to the Tribunal to try and expedite the hearing in O.A. No.2274/2017. Learned counsels for the parties are also directed not to seek an adjournment before the Tribunal and in the event, any of them are not available on the date fixed, they shall make alternate arrangements.

6. The petition is disposed of along with the pending application.

DASTI to parties.

HIMA KOHLI, J.

PRATIBHA RANI, J.

FEBRUARY 12, 2018/ 'hkaur'