

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

Date of Decision: January 24, 2018

+ **W.P.(C) 738/2018 & C.M. 3117/2018**

PRADEEP KUMAR Petitioner
Through: Mr. Rajat Aneja & Ms. Rashmi
Verma, Advocates

Versus

THE DISTRICT & SESSIONS JUDGE (HEADQUARTERS) Respondent
Through: Mr. Sanjay Dewan & Ms. Palak
Rohmetra, Advocates for respondent No.1

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

JUDGMENT

ORAL

1. Petitioner was promoted as Judicial Assistant on 23rd August, 2017. In this petition, promotion to the post of Judicial Assistant is claimed w.e.f. 13th June, 2008, while claiming parity with employees at Serial Nos. 170 to 183 (*except Sl. No.177*) in the Order of 23rd August, 2017 (*Annexure P-6*). To seek the relief claimed in this petition, petitioner had made a Representation on 25th September, 2017, followed by a reminder on 17th November, 2017 (*Annexure P-7 colly*). According to petitioner's counsel, there is no response to these Representations. However, it is submitted that the case of petitioner is fully covered by O.M.No.22011/4/2007-Estt.(D) of 28th April, 2014 issued by Department of Personnel & Training (*Annexure P-9*) and by the relevant extract of Swami's compilation on Seniority and Promotion (*Annexure P-8*).

2. Since petitioner's Representation of 25th September, 2017, (*Annexure P-7 colly*) has not been responded to, therefore, this petition is disposed of with direction to respondent to pass a speaking order thereon within eight weeks.

3. At this stage, counsel for petitioner submits that this writ petition be treated as a Representation and speaking order be passed thereon. Instead of adopting such a course, it is deemed appropriate to permit petitioner to make a concise Representation to respondent within a week. If such a Representation is received by respondent, it be considered and decided within eight weeks by passing a speaking order. The fate of Representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies, as available in law, if need be.

3. With aforesaid directions, this petition and application are disposed of.

**SUNIL GAUR
(JUDGE)**

JANUARY 24, 2018

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