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

+ LPA 328/2018

ABHISHEK VERMA

..... Appellant

Through Mr. Umesh Sharma, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through Mr. Dev P. Bhardwaj, CGSC with Ms.
Akanksha Mishra, Advocate for UOI.
Mr. Arunav Patnaik with Ms. Kanika
Singh, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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29.08.2018

CM APPL 24746/2018 (delay in re-filing)

1. This application has been filed by the applicant/appellant seeking condonation of 45 days delay in re-filing the present appeal.
2. Notice. Counsels for the non-applicants accept notice.
3. The prayer made in this application is not opposed. Accordingly, the application is allowed. Delay of 45 days delay in re-filing the appeal is condoned.
4. The application stands disposed of.

CM APPL 24745/2018 (delay in filing)

5. This application has been filed by the applicant/appellant seeking condonation of 4 days delay in filing the present appeal.
6. Notice. Counsels for the non-applicants accept notice.
7. The prayer made in this application is not opposed. Accordingly, the

application is allowed. Delay of 4 days delay in filing the appeal is condoned.

8. The application stands disposed of.

CM APPL 24744/2018 (exemption)

9. Exemption is allowed, subject to all just exception.

10. The application stands disposed of.

LPA 328/2018

11. Challenge in this appeal is to the order dated 23.01.2018 by which the writ petition being W.P. (C) 5431/2017 filed by the appellant herein stands disposed of.
12. The necessary facts to be noticed for disposal of this appeal are that the appellant herein had applied for the post of Public Relation Officer (PRO) on 25.02.2017. The advertisement was for a single post of PRO. The appellant claimed to be a graduate with MBA in Marketing with specialisation in Advertisement and Publicity. The appellant appeared for the interview on 05.06.2017. Thereafter, merit list was displayed on 08.06.2017 and the name of the appellant was shown at S.No.2 in the merit list. Subsequently, the appellant made a complaint on 09.06.2017 alleging that the selected candidate did not have the requisite qualification. Another complaint was also made by one Ms. Bhanu Priya, on which, cognizance was taken and a vigilance inquiry was conducted. Post the vigilance inquiry, respondent no.3 scrapped the entire selection process, which led to filing of the writ petition being W.P. (C) 5431/2017. Learned Single Judge has disposed of the writ petition directing the respondents to commence selection process for the post expeditiously. No relief was granted to the appellant herein.
13. Counsel for the appellant submits that the advertisement itself was unhappily worded as there is no course of MBA in marketing and

specialisation in Advertising and Publicity. He submits that in case the selection process commences again, the appellant, who was declared successful being an MBA would be put to a disadvantage. Counsel further submits that the UGC be directed to look into the matter and ensure that a proper advertisement is published.

14. Mr. Patnaik, counsel for respondent no.3, who enters appearance on an advance copy submits that the UGC was not a party in the writ petition nor a party in the present appeal. Counsel further submits that the advertisement was prepared on the recommendation of a committee, but subsequently, it was found that none of the candidates, who had applied had the requisite qualification. Additionally, the Vigilance Committee also found various discrepancies and shortcomings in the entire selection process and hence, the process was scrapped. He submits that the committee will ensure that the subsequent advertisement, which is published will take into consideration the recognised courses, which are available in order to avoid any ambiguity, which led the selection being scrapped.
15. Binding the respondent no.3 to the stand taken in Court, as agreed, the present appeal stands disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

AUGUST 29, 2018/ck/

LPA 328/2018

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