

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

Date of Order: April 04, 2018

+ **W.P.(C) 3250/2018 & CM 12788/2018**

MAJOR DR. RAVINDER KUMAR (RETD.) Petitioner

Through: Mr. A.K. Bhardwaj, Advocate

versus

DELHI CANTONMENT BOARD AND ANR.Respondents

Through: Mr. Anchit Sharma, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioner seeks a mandamus to first respondent to appoint him as General Duty Medical Officer (for short *GDMO*) against a vacancy declared on 31st October, 2016, which, according to petitioner, is still vacant. To seek the relief, as sought in this petition, a Representation (*Annexure P-11*) was made by petitioner on 17th March, 2018 to first respondent. According to learned counsel for petitioner, there is no response to the said Representation (*Annexure P-11*).
2. Learned counsel for respondents submits that the said Representation (*Annexure P-11*) would be positively decided within a period of four weeks from today.
3. Learned counsel for petitioner submits that till it is so done, let the vacancy in question be not carried forward or abolished.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with direction to first respondent to effectively consider petitioner's Representation (*Annexure P-11*) in light of Supreme Court's order of 26th July, 2013 in CC 10604/2013 titled *State of U.P. & Anr. v. Rajiv Kumar Srivastava and Anr.*, within four weeks from today and its fate be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be. Till it is so done, the post in question be not carried forward or abolished.

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

Copy of this order be given *dasti* to counsel for the parties.

(SUNIL GAUR)
JUDGE

APRIL 04, 2018

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