

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

Date of Order: April 16, 2018

+ **W.P.(C) 3721/2018 & CMs. 14729-30/2018**

GANESH SAGAR DIMBAR Petitioner
Through: Mr. Milan Laskar and Mr. Parvez
Dabas, Advocates

versus

PRESIDENTS SECRETARIAT AND ANR.Respondents
Through: Mr. Sanjay K. Shandilya and Mr.
Abhishek Singh, Advocates

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioner claims to have applied for the post of *Mali* in first respondent's Secretariat in the OBC category. As per result of Online Examination held on 19th March, 2017 for the post of Mali Grade-III in the Work-Charged Establishment of President's Gardens under President's Secretariat, New Delhi/ Hyderabad/ Shimla (*Annexure P/5*), the last candidate, who was selected in the OBC category, had secured 30 marks.

2. Learned counsel for petitioner draws attention of this Court to RTI Reply of 11th July, 2017, which reveals that petitioner had secured 31 marks in the said examination and his position in the merit list was 796. It is pointed out by learned counsel for petitioner that in the Result

(Annexure P/5), the last selected candidate had figured at Sl.No.812 in the merit list. Learned counsel for petitioner further submits that after the RTI Reply of 11th July, 2017, several Representations have been made to first respondent, but to no avail. However, copy of any such Representations has not been placed on record.

3. Be that as it may. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with permission to petitioner to make a concise Representation to first respondent within a period of three weeks. If any such Representation is received by first respondent, then it be dealt with by passing a speaking order thereon within a period of six weeks or so, and if petitioner's Representation is not to be accepted for any reason whatsoever, then reasons be spelt out by first respondent as to why petitioner is not being appointed as Mali under the OBC category in pursuance of Result (Annexure P/5). The fate of such Representation be conveyed to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be.

4. With aforesaid directions, this petition and the applications are disposed of.

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

(SUNIL GAUR)
JUDGE

APRIL 16, 2018

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