

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

Date of Order: May 09, 2018

+ **W.P.(C) 5007/2018 & CM APPL Nos. 19281-82/2018**

SHRI SANJAY Petitioner

Through: Mr. Sachin Chauhan, Advocate

versus

REGISTRAR, HON'BLE DELHI HIGH COURT &
ANR

.....Respondents

Through: Mr. Ankur Chhibber and
Mr. Bhanu Gupta, Advocates

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. In September, 2017 petitioner was given offer of appointment on the post of Peon (Group 'C') by the second respondent. However, the said offer was subject to verification of the antecedents of petitioner. Vide impugned order of 17th May, 2018 (Annexure P-1), second respondent has rejected the appointment of petitioner on the post of Peon while relying upon character and antecedents verification report (Annexure P-2) which discloses previous involvement of petitioner in three criminal cases.

2. Learned counsel for petitioner submits that petitioner has been acquitted in those criminal cases and submits that against the rejection of

petitioner's candidature for the post in question, a Representation (Annexure P-4) was sent to first respondent on 27th March, 2018, but there is no response to it.

3. Learned counsel for second respondent has drawn the attention of this Court to the Minutes of Meeting of the Screening Committee of 1st March, 2018 to submit that the antecedents of petitioner have been examined by the said Committee to find out whether petitioner is suitable for appointment on the post in question. Reliance is placed upon Supreme Court decision in *Union Territory, Chandigarh Administration and Ors. Vs. Pradeep Kumar and Another, 2018 (1) Scale 153*, to submit that the decision of Screening Committee must be taken as final, unless it is found to be malafide.

4. Learned counsel for petitioner submits that the basis of impugned order i.e. the Minutes of Meeting of Screening Committee of 1st March, 2018 as approved by second respondent on 13th March, 2018 has not been supplied to petitioner. Learned counsel for second respondent submits that its copy would be supplied to petitioner's counsel within a week.

7. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the applications with permission to petitioner to make a fresh and concise Representation after receipt of the aforesaid Minutes of the Meeting of Screening Committee within a week to second respondent. Upon receipt of such a Representation, the second respondent shall give an effective response to petitioner's Representation so received, within a period of eight weeks and the fate of the said

Representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedy as available in law, if need be.

8. In the facts and circumstances of this case, second respondent is called upon to ensure that the last appointment made on the post in question in the general category, shall be subject to the outcome of Representation so made by petitioner.

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

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

(SUNIL GAUR)
JUDGE

MAY 09, 2018
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