

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of Order: May 23, 2018
+ **W.P.(C) No. 5559/2018 & CM No. 21668/2018**

PRAMOD KUMAR Petitioner
Through: Mr. B K Gautam, Advocate

versus

ASSOCIATION OF STATE ROAD TRANSPORT
UNDERTAKING & ORS.Respondents
Through: Dr. Ashwani Bhardwaj, Advocate
for R-1

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Vide Advertisement of 9th November, 2017 (Annexure P-1), applications were invited to fill up the post of Executive Director in Association of State Road Transport Undertakings (ASRTU) on deputation basis. Petitioner claims to have been short-listed and was called for the interview.
2. Learned counsel for petitioner submits that on 20th February, 2018, petitioner was called for the interview, but he was told on that day that the interview has been postponed. It is the case of petitioner that thereafter, fresh Advertisement (Annexure P-4) has been issued on 9th April, 2018 which according to petitioner's counsel has been circulated to five Ministries, whereas the earlier Advertisement (Annexure P-1) was circulated to twelve Ministries.
3. Learned counsel for petitioner submits that even the eligibility criteria in the impugned Advertisement (Annexure P-4) has been changed

to the detriment of petitioner. Quashing of impugned Advertisement of 9th April, 2018 (Annexure P-4) is sought in this petition on the ground that this Advertisement makes petitioner in-eligible.

4. Despite service of advance notice, there is no representation on behalf of second respondent.

5. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the application with permission to petitioner to make a concise Representation to second respondent qua the impugned Advertisement (Annexure P-4) within a week. If any such Representation is received by second respondent, then it be considered and disposed of by a speaking order within a period of four weeks and the fate of the Representation be conveyed to petitioner within a week thereafter, so that petitioner may avail of the remedies, as available in law, if need be.

6. Second respondent be apprised of this order forthwith, to ensure its compliance. It is made clear that till the fate of said Representation is conveyed to petitioner, the selection in pursuance to impugned Advertisement of 9th April, 2018 be not finalized.

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

Copy of this order be given *dasti* to petitioner's counsel.

(SUNIL GAUR)
JUDGE

MAY 23, 2018

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