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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 7137/2018

NARESH KUMAR BHARDWAJ

..... Petitioner

Through: Mr.B.K. Berera & Mr.Krishna Kumar
Mishra, Advs.

versus

THE DIRECTOR & ANR

..... Respondents

Through: Ms.Avnish Ahlawat, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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13.07.2018

1. The petitioner is aggrieved by an order dated 06.05.2016 passed by the Central Administrative Tribunal dismissing his original application bearing OA No.3056/2014, wherein, he had sought directions to the respondent-North Delhi Municipal Corporation to permit him to join the post of Book Binder Grade-II on the ground that he had been selected by the DSSSB and fulfilled all the qualifications/eligibility conditions required for the said post as per the Recruitment Rules and terms and conditions of the advertisement issued in this regard.

2. The aforesaid OA filed by the petitioner was dismissed by the Tribunal on the ground that the Recruitment Rules of the subject post prescribed a trade test for appointment of a candidate to the subject post by way of direct recruitment and simply because the petitioner's name had been shown in the merit list along with other candidates, issued by the DSSSB would not mean that the passing of the trade test

could be dispensed with, nor the petitioner's name being reflected in the merit list, confers on him any special rights without qualifying the trade test.

3. At the outset, we have requested learned counsel for the petitioner to explain the delay of over 2 years in approaching this Court for relief and that too, in relation to an appointment matter.

4. Learned counsel seeks to explain that the petitioner was suffering from depression and financial condition. There is no medical certificate on record to establish or to even indicate the petitioner's health problem to persuade this Court to condone the delay over 2 years in approaching this Court for relief.

5. Even on merits, we do not find any error in the impugned judgment when the admitted position is that the Recruitment Rules of the North Delhi Municipal Corporation prescribe a trade test for the subject post. Further, the respondent No.3, while issuing the advertisement, had clearly stated that the selection of the candidates was provisional and was subject to their fulfilling all the eligibility conditions prescribed in the Recruitment Rules and on suitability being adjudged by the department.

6. For the aforesaid reasons, we do not find any merit in the present petition, which is accordingly dismissed in *limine*.

HIMA KOHLI, J

REKHA PALLI, J

JULY 13, 2018/gm
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