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

+ W.P.(C) 9310/2018 & CM Nos.35991/2018(for exemption),
35993/2018 (for exemption), 35992/2018 (for directions)

DR. TEJINDER KAUR Petitioner

Through: Petitioner in person.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Manik Dogra, Sr. Standing
Counsel with Mr.Dhruv Pande, Adv.
for R-1.
Mr.Sanjiv Joshi, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **05.09.2018**

1. The petitioner is aggrieved by an interim order dated 11.07.2018 passed on a miscellaneous application filed by her praying *inter alia* that as an interim measure, the respondents be directed to promote her provisionally as an Additional Director.

2. By the impugned order, the Tribunal has dismissed the miscellaneous application filed by the petitioner with the directions that the main petition (OA No.3037/2016) may be taken up for hearing in the month of September, 2018 itself. In fact, the Tribunal has already fixed the matter for hearing on 18.09.2018. The

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relief sought in the main petition is also on the same lines as prayed for by the petitioner in the interim application, except that as interim relief, she seeks an appointment to the post of Additional Director on a provisional basis, whereas in the O.A., she seeks quashing of the appointment of the respondent nos.3 & 4 and as a consequence thereof, her appointment to the said post on a permanent basis on the very same post in the respondent No.2.

3. Even if the submission made by the petitioner to the effect that the Tribunal has erred in recording that there is no vacancy to the post of Additional Director is correct, and there is a vacancy available, it cannot be a ground for the petitioner to claim provisional appointment to the said post, by way of a vested right.

4. We decline to entertain the present petition, particularly when the OA is already listed for hearing before the Tribunal in less than two weeks. Accordingly, the petition is dismissed along with the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

SEPTEMBER 05, 2018

gm/sr