

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

Date of Order: January 18, 2018

+ **W.P.(C) 9136/2016 & CM 46552/2017**

DR PARMOD KUMAR DHAILWAL Petitioner

Through: Mr. Sourabh Ahuja, Advocate

versus

GNCT OF DELHI AND ORS Respondents

Through: Mr. Gaurav Varma, Advocate with
Mr. Rajesh Tanwar, Office Superintendent, for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

1. Petitioner was working as Deputy Director (Administration) with respondent No.2-Sansthan on contract basis. After the contractual period was over, vide impugned order of 29th April, 2016 (*Annexure-1 colly.*) his term was not extended. Petitioner's prayer for extension of his contractual employment was turned down by respondent No.2-Sansthan vide order of 27th May, 2016 (*Annexure-1 colly.*). No reason has been given for not extending the contractual employment of petitioner in impugned letter of 27th May, 2016. However, during the pendency of this petition, respondent has issued Advertisement of 26th November, 2017 vide which applications have been invited for regular appointment on various posts including the post in question. The age limit for applying for the post in question is 40 years whereas petitioner's age is 42 years. As per the Advertisement of 26th November, 2017, age relaxation can be given in respect of employees working with respondent No.2-Sansthan and

employees of respondent No.2-*Sansthan*, have to be given weightage as per the approved policy.

2. Learned counsel for petitioner submits on instructions that instead of pursuing this petition, petitioner be permitted to apply for the post in question in pursuance of aforesaid Advertisement of 26th November, 2017 and age relaxation as well as weightage of petitioner's experience ought to be given. It is submitted on behalf of petitioner that petitioner had learnt about the Advertisement in question in the first week of December, 2017 and thereafter, petitioner had filed an application seeking stay of the aforesaid Advertisement. As per the Advertisement, the last date for applying was 15th December, 2017.

3. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition as not pressed with permission to petitioner to now apply for the post of Deputy Director (Administration) in respondent No.2-*Sansthan* in terms of Advertisement of 26th November, 2017 within a week from today. If such an application is received, then respondent No.2-*Sansthan* shall duly consider and process it and grant the age relaxation as well as weightage as per the applicable Rules and Regulations.

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

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

(SUNIL GAUR)
JUDGE

JANUARY 18, 2018

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