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

+ W.P.(C) 8333/2017 and CM APPL. 34390/2017

CHIEF SECRETARY, GOVERNMENT OF RAJASTHAN

..... Petitioner

Through: Mr. S.S. Shamschery with Mr. Amit
Sharma, Advocates

versus

RAVI SHANKAR SRIVASTAVA & ANR Respondents

Through: Ms. Shivani Kant, Advocate for R-1.
Mr. Jasmeet Singh, CGSC with Ms. Astha
Sharma, Advocate for R-2/UOI.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **09.01.2018**

1. The petitioner/Govt. of Rajasthan is aggrieved by the interim order dated 26.05.2017, passed by the Central Administrative Tribunal in an Original Application filed by the respondent No.1 praying *inter alia* for setting aside the Minutes of the Screening Committee dated 01.12.2016 and the order dated 19.01.2017, whereunder four IAS officers have been promoted to the post of Chief Secretary, whereas the name of the respondent No.1 does not feature therein.
2. By the interim order dated 26.05.2017 passed by the Tribunal, the petitioner/Govt. of Rajasthan was directed to keep reserved one post in the

scale of Chief Secretary. On 19.09.2017, while issuing notice on this petition to the private respondent No.1, operation of the impugned order was stayed and the petitioner/Govt. of Rajasthan was granted liberty to fill up the post in question with a rider that the doctrine of *lis pendens* shall apply.

3. We have enquired from the counsel for the petitioner today as to whether the post in question has been filled up. He submits that 17 officers are already working against 7 posts in the scale of Chief Secretary and as of now, the petitioner does not feel the necessity of filling up the post in question. We are further informed that the O.A. is listed for arguments before the Tribunal on 27.03.2018. That being the position, we see no reason to keep the present petition pending. The petitioner has already been granted relief in terms of the interim order dated 19.09.2017.

4. Accordingly, the present petition is disposed of alongwith the pending application with a request made to the learned Tribunal to hear arguments on the Original Application on the date fixed, i.e., on 27.03.2018.

HIMA KOHLI, J

REKHA PALLI , J

JANUARY 09, 2018

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