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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10904/2018 & CM APPL. 42526/2018**

ARCHANA AND ORS.

..... Petitioner

Through: Mr. Avadh Kaushik, Advocate.

versus

DISTRICT AND SEESIONS JUDGE (HQS), DELHI AND ANR.

..... Respondents

Through: Ms. Avnish Ahlawat, Standing
Counsel for GNCTD with Ms. Palak
Rohmetra, Advocate for R-1 & 3.
Mr. Sanjoy Ghose, Mr. Gaganjyot
Singh, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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10.10.2018

W.P.(C) 10904/2018 & CM APPL. 42526/2018

Vide the present petition, the petitioners seek:-

“(a) A Writ of Certiorari thereby quashing and setting aside the impugned Circular dated 20.09.2018 (ANNEXURE- P-5) issued by the learned District & Sessions Judge (Head Quarters), Delhi/ respondent No.1 whereby applications have been invited to fill up 41 posts of Senior Personal Assistants through a Departmental Competitive Examination to be applied

by the Personal Assistants having three years' regular service in the District Court Establishment; without waiting for the outcome of the pending representation made on behalf of the petitioner and thus, being the same discriminatory, irrational, unjust, arbitrary and unconstitutional;

(b) A Writ of Mandamus commanding and directing the respondents to decide the representation dated 15.05.2017 (ANNEXURE- P-3), made by the petitioners through their Association, in a shortest possible time bound manner which is stated to be pending before the respondent No.2/ Delhi High Court;

(c) Any other necessary writ, order or directions, as may be deemed fit and proper by this Hon'ble Court, under the facts and circumstances of the case, may also be issued and passed, in the interest of justice."

During the course of submissions that have been made on behalf of either side *inter alia* in relation to CM APPL. 42526/2018, an application filed on behalf of applicant/petitioners seeking interim order/ directions vide which it has been sought that the last date of applications having been invited vide the impugned circular dated 20.09.2018 for the posts of Senior Personal Assistants which is otherwise fixed as **10.10.2018** be postponed till the final decision of the instant writ petition, it has been submitted on behalf of respondent nos. 1 to 3 that the petitioners i.e. the 4 (four) petitioners to the present petition i.e. Writ Petition (Civil) 10904/18 may be permitted to

apply pursuant to the said circular annexed as **Annexure- P5** dated 20.09.2018 bearing No. Rectt.Cell/SC/SPA/2018/2130/61373-61573.

Without prejudice to the decision that may be taken on the administrative side in the matter, which is already pending before the respondent no.2, on a consideration of the submissions made on behalf of either side, the petition is disposed of with permission granted to the 4 petitioners of the present Writ Petition (Civil) 10904/18 being granted time till the date 15.10.2018 by 2.00 PM to apply in response to the circular No. Rectt.Cell/SC/SPA/2018/2130/61373-61573 dated 20.09.2018.

The respondent no.2 would make efforts for expeditious disposal of the representations/applications, if any filed by the petitioners before it. No further action is called for.

Copy of the order be given Dasti under the signatures of the Court Master, as prayed.

ANU MALHOTRA, J

OCTOBER 10, 2018/NC