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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10903/2018 & CM APPL. 42525/2018**

DINESH KUMAR GOEL AND ORS. Petitioners

Through: Mr. Avadh Kaushik, Advocate.

versus

DISTRICT AND SESSIONS JUDGE (HQS), DELHI AND ORS.
..... 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
% **10.10.2018**

W.P.(C) 10903/2018 & CM APPL. 42525/2018

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-7) 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 issue already pending and under consideration of the Delhi High Court and thus, being the same discriminatory, irrational, unjust, arbitrary and unconstitutional;

(b) A Writ of Mandamus commanding and directing the respondents to finally decide the issue of designation of the petitioners as 'Senior Personal Assistant' on the basis of parity with their counterparts working in Delhi High Court, which issue is admittedly lying under consideration since long, in a shortest possible time bound manner;

(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. 42525/2018, an application filed on behalf of applicant/petitioners seeking an 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 18 petitioners to the

present petition i.e. Writ Petition (Civil) 10903/18 may be permitted to apply pursuant to the said circular annexed as Annexure- P7 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 18 petitioners of the present Writ Petition (Civil) 10903/18 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