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

+ **W.P.(C) 13508/2018**

GOVT. OF NCT DELHI AND ANR.

..... Petitioner

Through: Mrs. Avnish Ahlawat, St. Counsel,
GNCTD (Services) with Mr. N.K.
Singh, Ms. Aarushi and Ms. Palak
Rohmetra, Advs.

versus

SOMVIR SINGH AND ORS.

..... Respondent

Through: Mr. Naresh Kaushik with Mr. Devik
Singh and Mr. Omung Gupta,
Advs.for R-5.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

14.12.2018

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C.M. No. 52649/2018

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 13508/2018 & C.M. No. 52648/2018

The GNCTD has preferred the present writ petition to assail the order dated 04.09.2017 passed by the Central Administrative Tribunal, Principal Bench, (New Delhi) in O.A. No.2765/2014. The Tribunal has allowed the said Original Application preferred by the respondent No.1 – Somvir Singh, wherein he had assailed the grant of reservation in promotion to Respondent No. 4 & 5 by placing reliance on the judgment of the Supreme Court in *M.*

Nagraj & Ors. Vs. Union of India, 2006 (8) SCC 212. The Tribunal has allowed the Original Application by holding that reservation could not be provided in promotions in the light of the aforesaid judgment.

The dispute is essentially between respondent No.1 on the one hand and respondent Nos. 2 to 4 on the other hand.

Ms. Ahlawat submits that a writ petition has already been preferred by affected respondents being W.P. (C) No. 10799/2018, *Rajesh Kumar & Anr. V. Govt. of Nct of Delhi & Ors.*, which is now adjourned to 04.02.2019.

In our view, it is not for the GNCTD to get embroiled in the said dispute. Without expressing any view on the merits of the case, we reject this writ petition leaving it open to the petitioners in W.P. (C) No. 10799/2018 to agitate their grievance.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

A. K. CHAWLA, J

DECEMBER 14, 2018

N.Khanna