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

\+ **W.P.(C) 12640/2019**

SUNIL KUMAR ..... Petitioner

Through: Mr. Tushar Mahajan, Mr. Hardik Rupal and Mr. Siddhant Saini, Advocates.

versus

THE HIGH COURT OF DELHI AND ORS. ..... Respondents

Through: Ms. Meenal Duggal for Mr. Viraj R. Datar, Advocates.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

O R D E R

% 02.12.2019

CM APPL. 51627/2019 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 12640/2019

2. This petition is a direct outcome of the implementation by Respondent No.1 of the judgment dated 11th October, 2019 passed by this Court in W.P.(C) 2676/2019 (***Dharmanedra Kumar Mehto v. The Hon'ble Delhi High Court***).

3. As a result of Mr. Dharmender Kumar Mehto having been directed to be appointed as a Junior Judicial Assistant in the 20% departmental quota pursuant to the test conducted on 30th September, 2018, and with only one

vacancy available, i.e. 27th vacancy notified on 3rd January 2018, the Petitioner whose typing speed was lesser than Mr. Mehto's and whose score in the written marks were also less, could not make it. Learned counsel for the Petitioner submitted that the typing test was not meant to have any effect on the overall merit of the candidate. The Court is unable to agree with this submission for reasons already mentioned in the aforementioned judgment dated 11th October, 2018.

4. With the Petitioner being of lesser merit than Mr. Mehto on both parameters, clearly the impugned decision dated 8th November, 2019, by way of implementation of this Court's judgment in Writ Petition (Civil) 2676/2019 cannot be faulted.

5. Learned counsel for the Petitioner then prayed that the Court should direct a supernumerary post to be created to accommodate the Petitioner. The Court is not inclined to do so.

6. There is no merit in this writ petition and it is accordingly dismissed.

S. MURALIDHAR, J.

TALWANT SINGH, J.

DECEMBER 02, 2019
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