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

+ W.P.(C) 1918/2019

S. R. HUSSAIN

..... Petitioner

Through: Mr. Utkarsh Gupta, Adv.

versus

NATIONAL PROJECTS CONSTRUCTION CORPORATION
LIMITED & ORS

..... Respondents

Through: Mr. Ravinder Agarwal, Adv. for
R-2/CVC.

Mr. Ripu Daman Bhardwaj, SPP for
R-3/CBI.

Mr. Dev P. Bhardwaj, CGSC with
Mr. Jatin Teotia, Adv. for UOI/R-4.

Mr. Naresh Kaushik with Mr. Tapasvi
Raj & Ms. Vibhuti Tyagi, Adv. for
UPSC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

17.07.2019

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1. This so called Public Interest Litigation has been preferred with the following prayers:

“a) Direct a thorough court-monitored and time-bound investigation by the Respondent No. 2 investigation agency into the violations of the National Projects Construction Corporation Limited Recruitment Regulations, 2012 by the Respondent No. 1 in the conducting recruitments, intentionally overlooked the acts of forgery and making false statements by

the candidates and the lack of scrutiny of those applications.

b) Issue a writ of certiorari to the Respondent No. 1 and Respondent No. 4 to cancel or annul the recruitments made during 2012-13 pursuant to the advertisements dated 19.01.2012 and 03.11.2012 etc. that suffer from irregularities.

c) Issue a writ of mandamus to the Respondent No. 1 and Respondent No. 4 to cancel all appointments in which irregularities in their appointment procedures have been found, and conduct an court monitored inquiry to ascertain as to how the irregularities were committed and as for how they were sustained.

d) Issue such other writ, direction or order, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

2. Having heard the learned counsel for the petitioner and the counsels for the respondents No.2, 3 and 4, it appears that this is not a Public Interest Litigation at all.

3. The recruitment which has taken place at National Projects Construction Corporation Limited is of the year 2012-13 in pursuance of public advertisement issued by the National Projects Construction Corporation Limited on 19.01.2012 and on 03.11.2012.

4. The recruitment of the year 2012-13 after public advertisement has been challenged in this writ petition on varieties of grounds, especially, about the false details supplied by those applicants. For this type of recruitment, court-monitored investigation is being sought by the petitioner.

5. It also appears from the facts that this petitioner is a dismissed employee of National Projects Construction Corporation Limited. Several misconducts have been alleged against this petitioner when he was working

as an Assistant Engineer and after holding inquiry he has been dismissed from the services for which also he has preferred a litigation before the Competent Court.

5. Thus, we see no reason to entertain this writ petition and we see no reason to start the investigation and, that too, to be monitored by this Court. National Projects Construction Corporation Limited is capable enough to initiate actions for illegal appointments if at all they are made. They know how to remove the employee if any misconduct is done and the petitioner is an example of this type of action taken by the National Projects Construction Corporation Limited. Several posts have been referred from Page No.21 onwards of this writ petition including Executive Director, General Manager, etc. who have been appointed illegally.

6. We see no reason to initiate any investigation for their appointments. This issue is left open for the National Projects Construction Corporation Limited. If this Corporation found any illegality the action can be initiated by the employer i.e. National Projects Construction Corporation Limited.

7. With these observations, this writ petition is hereby dismissed.

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 17, 2019

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