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

+ **W.P.(C) 7668/2019**

RAJ KUMAR AND RAJESH

..... Petitioner

Through: Mr. G.S. Sharma with Mr. R.A.
Sharma and Mr. V.K. Sharma, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ANR.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

18.10.2019

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CM APPL. 45662/2019

Delay in refiling of the review petition by 27 days is condoned.

The application stands disposed of in the aforesaid terms.

REVIEW PET. 433/2019

The only submission advanced by counsel for the review petitioner is that this Court has proceeded on the basis that 19 years have elapsed since the demise of the petitioner's father and, therefore, he is not entitled to compassionate appointment. Learned counsel submits that the Original Application was pending before the Tribunal since 2014, therefore, that period of five years has to be excluded. Even if that were to be the case, the Original Application itself was preferred after a decade of the demise of the

petitioner's father when the urgency for grant of such appointment did not survive. Moreover, we have to look at the situation as it existed when we were considering the matter and to ask ourselves a question whether grant of such due Compassionate Appointment should be granted to the petitioner by us? Therefore, we were justified in taking note of the fact that 19 years have elapsed since the demise of the petitioner's father when we considered the matter on 18.07.2019.

We find no merit in this review petition.

Dismissed.

VIPIN SANGHI, J.

RAJNISH BHATNAGAR, J.

OCTOBER 18, 2019

N.Khanna