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

+ W.P.(C) 11556/2018 and C.M. No. 6105/2019

RACHIN MITTAL Petitioner
Through: Mr. Sachin Mittal, Advocate.

versus

UNION OF INDIA AND ORS. Respondents
Through: Mr. Arun Bhardwaj, CGSC for
respondent/ UOI.
Mr. M.K. Bhardwaj, Advocate for
respondents in C.M. No.6105/2019.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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08.02.2019

The petitioner had approached this Court by preferring the present writ petition in view of the grievance that his Original Application, i.e. O.A. No.1689/2018 was not being decided.

When the writ petition was heard on 26.10.2018, while issuing notice in the petition, we had directed that in case the respondents hold the DPC for consideration of candidates for the post of Superintendent Preventive and all eligible candidates including the petitioner are not considered, the result of the said DPC will not be declared. That interim order continues to be in operation till date. In the meantime, the aforesaid Original Application of the petitioner was disposed of on 28.01.2019 leaving it open to the petitioner to make a comprehensive representation to the respondents and with a

direction to the respondents to pass the order within six weeks thereafter. It was further held that the petitioner may approach the Bench of the Tribunal at Mumbai in case he is aggrieved. The said order dated 28.01.2019 was considered by this Court in W.P. (C) No.1223/2019, and on 05.02.2019, this Court has set aside that order and remanded the case back to the Tribunal for hearing on merits. The Original Application is now coming up before the Tribunal on 14.02.2019.

In view of the aforesaid, we dispose of the present petition with request to the Tribunal to hear the said Original Application at the earliest on merits and dispose the same of as early as possible. We further direct that in case during the pendency of the Original Application, in case the respondent authority holds the DPC for consideration of candidates for the post of Superintendent Preventive, all eligible candidates including the petitioner should be considered and if all eligible candidates are not considered, the DPC shall not declare the result.

The petition stands disposed of in the aforesaid terms.

The next date fixed in the matter, i.e. 13.03.2019 stands cancelled.

VIPIN SANGHI, J

A. K. CHAWLA, J

FEBRUARY 08, 2019

B.S. Rohella