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

+ W.P.(C) 12917/2018 and CM APPLN. 50186/2018

SUPRIYA MUKHARJEE

..... Petitioner

Through Mr. Rakesh Khanna, Sr. Adv. with
Mr. Khagesh B. Jha, Ms. Shikha
Sharma Bagga, Mr. Mayank Sapra
and Ms. Vaishali Gupta, Advs.

Versus

GOVERNING BODY OF DAYAL SINGH COLLEGE AND ORS.

..... Respondents

Through Mr. A.P.S. Ahluwalia, Sr. Adv. with
Mr. S.S. Ahluwalia and Mr. Mohit,
Advs. for R-2
Mr. N. K. Singh for Mrs. Avnish
Ahlawat, Standing Counsel for
GNCTD (Services) for R-4
Mr. Vivek Goyal, CGSC for UOI/R-5
Mr. Mohinder J. S. Rupal, Mr. Prang
Newmai and Ms. Slomita Rai, Advs.
for R-3

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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25.01.2019

Counsel for the petitioner submits that the counter affidavit of respondent no.2 is on record and the counter affidavit of respondent no.1 is not required.

In the counter affidavit filed by the respondent no.2, it is admitted that

the written test was conducted in terms of the advertisement published on 28.09.2015 by the respondent No.2 College for the post of Professional Assistant for the Library of the College for Orthopedically Handicapped (OH) un-reserved (UR Category).

It is further stated that based on due process of holding objective and descriptive tests for the post of Professional Assistant under OBC Expansion Scheme, a merit list was drawn of two qualified candidates viz. The petitioner who was no.1 in the merit list having secured the highest marks (144 out of 250) as per Annexure-P-13. Accordingly, her name was included in the list of candidates dated 4th February, 2017 who were shortlisted for various non-teaching posts in the College duly signed by the Principal on 6th February, 2017. Since the approval of the Chairman of the Governing Body was necessary and mandatory, papers were placed before the then Chairman and the said Chairman Sh. Amitabh Sinha, approved the same.

It is further stated in the affidavit that since approval has been torn by the Chairman itself subsequently, therefore on record approval of the Chairman is not there.

Since the respondent no.2 has stated on the affidavit that approval was taken from the then Chairman, Mr. Amitabh Sinha, I consider it the appointment of the petitioner has been approved by the then Chairman Mr. Amitabh Sinha of Respondent no.2 College.

Since the appointment has been accepted by the Principal of the respondent College and approved by the Chairman, therefore, the respondent no.2 is directed to issue appointment letter to the petitioner within one week from the receipt of this order.

Petition is accordingly disposed of.

Order *dasti* under signatures of Court Master.

SURESH KUMAR KAIT, J

JANUARY 25, 2019

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