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

+ LPA 186/2020

SHALINI SINGH

..... Appellant

Through: Mr. Ravi Kumar, Advocate.

versus

UNITED INDIA INSURANCE COMPANY LIMITED
& ORS.

..... Respondents

Through: Mr. Vineet Malhotra, Mr. Shubendu Kaushik & Mr. Vishal Gohri, Advocates for respondents No.1 to 3. Mr. Harish Vaidyanathan Shankar, CGSC & Mr. Varun Kishore, Advocate for respondent No.4.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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28.07.2020

C.M. Nos. 16715-16/2020

1. Exemption allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. Issue notice. Mr. Shubendu Kaushik accepts notice on behalf of respondents No.1 to 3 and Mr. Harish Vaidyanathan Shankar accepts notice on behalf of respondent No.4.

4. In view of the order that we propose to pass, we do not consider it necessary to issue notice to respondent No.5.

5. The appellant is aggrieved by the order dated 21.07.2020 passed by the learned Single Judge in C.M. No. 15851/2020. The said application had been moved by the appellant/ writ petitioner to seek early hearing of the writ petition, i.e. W.P.(C.) No. 3478/2020 – which is listed for hearing on 23.09.2020. The appellant sought early hearing on the ground that the interviews for promotion from Scale-2 to Scale-3 were tentatively fixed for 28.07.2020, and the appellant/ writ petitioner had challenged the promotion policy itself, apart from raising other grounds to assail the promotion process. The learned Single Judge did not pre-pone the hearing. However, the learned Single Judge observed that the appellant's apprehensions could be put to rest by directing that any further action for holding the interviews would be subject to the outcome of the writ petition qua the petitioner.

6. We have heard learned counsels. Since the promotion process involves promotion to 88 vacancies, we are not inclined to interdict the same at this stage. The writ petition is fixed for hearing on a fairly early date, i.e. 23.09.2020. All the parties state that they shall not seek any adjournment on the next date of hearing, and shall proceed for hearing of the writ petition. We are informed that the pleadings in the writ petition are also complete.

7. In our view, the interest of the petitioner is sufficiently protected by the impugned order dated 21.07.2020. It is nobody's case that without the interview process, the promotions can take place in respect of the posts in question. It goes without saying that in case the petitioner succeeds, the learned Single Judge would pass consequential orders as may be justified in

the circumstances.

8. We, accordingly, dispose of this appeal by directing that neither party shall seek any adjournment on the date of hearing fixed before the learned Single Judge, i.e. 23.09.2020. The hearing of the writ petition shall proceed on the said date, subject to the availability of time with the learned Single Judge. In case, it is not heard on that day, we request the learned Single Judge to take up the writ petition for hearing on the earliest available and convenient date.

9. The appeal stands disposed of with the aforesaid directions.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 28, 2020

B.S. Rohella