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

% *Date of Decision: 28th April, 2022*

+ W.P.(C) 6014/2022 & CM APPLs. 18054-55/2022

KANISHK KUMAR

..... Petitioner

Through: Mr T.D. Yadav, Advocate

versus

UNION OF INDIA

..... Respondent

Through: Ms. Garima Sachdeva,
Advocate along with Mr. Amit
Tripathi, Accounts Officer in
Department of Posts.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

NAJMI WAZIRI, J. (ORAL)

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. The learned counsel for the petitioner had intimated the respondent on 22.06.2021 at 11:40 am apropos his State Wise Preference with respect to SSC CGL 2018 Examination, via e-mail. He is the senior most amongst the (four) SC category candidates, in terms of the Merit List. He did not choose Bengaluru for his posting. The only option he gave for his posting was Delhi, yet he has been asked to report for duty at Bengaluru, while his juniors have been posted in Delhi. The petitioner says that this is unfair and

disadvantageous for him as the posting order gives preference to his juniors.

2. The learned counsel for the respondent submits that the said communication was not received by the respondent. It is a communication sent through the internet. It may not have reached due to a technical error. The fact remains, that the said communication is on record and it is for the respondent to have looked into it. It is not disputed that the petitioner's preference was only for Delhi. In the circumstances, the petitioner should be posted in Delhi.

3. The case was passed over for the learned counsel for the respondent to obtain instructions. Having done so, she states, upon instructions from the Account Officer named above, that the petitioner will be accommodated in Delhi and appropriate orders in this regard will be issued within four weeks. Let it be so done. Interim orders to continue till then.

4. The petition, along with pending applications, stands disposed-off in terms of the above.


नात्यमेव जयते **NAJMI WAZIRI, J**

SWARANA KANTA SHARMA, J

APRIL 28, 2022/zp