



2024:DHC:1168



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

% Judgment delivered on: 13.02.2024

+ **W.P.(C) 2044/2024****EKTA MAHAR & ORS**

..... Petitioner

versus

**DELHI SKILL AND ENTREPRENEURSHIP
UNIVERSITY & ORS**

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Ms. Daisy Hannah, Advocate

For the Respondent : Mr. Shivendra Singh and Mr. Bikram Dwivedi, Advocates for R-1.
Mr. Divyam Nandrajog, Panel Counsel with Ms. Surbhi Soni, Advocates for R-2.
Mr. Tanveer Ahmed Ansari, SPC with Mr. JHilal Haider, GP for R-4.

CORAM:**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]**

1. The present writ petition has been filed under Article 226 of the Constitution of India *inter alia* seeking the following reliefs:-

“a. Issue an appropriate writ, order or direction thereby setting aside the impugned Notice No.



F.No.12(136)/DSEU/HR/2023/601 dated 03.01.2024 issued the Delhi Skill and Entrepreneurship University (DSEU) and consequently, appoint the petitioners to their respective posts with all consequential benefits thereof, including seniority, backwages, continuity of services etc;

b. Issue an appropriate writ, order or direction thereby directing the Respondent No.1 not to start afresh recruitment process;...”

2. It is the case of the petitioner that after the advertisement No. 01/2022 was issued by respondent no.1-Delhi Skill and Entrepreneurship University (DSEU), the petitioners had participated in the entire process and were declared successful. She submits that, that apart, they had cleared all stages uptill the final stage, except that the appointment letters were to be issued to the petitioners.
3. Despite waiting for a long time, no appointment letters were issued to the present petitioners. Upon filing number of representations, no response could be elicited from respondent no.1.
4. Upon filing a query under the Right to Information Act, 2005, the petitioners were informed that 16 out of 43 successful candidates were already given appointment letters and so far as the remaining candidates are concerned, on the strength of an OM of the DoPT, directing that the appointments should not be give beyond the period of one year, the respondent had cancelled the appointment of the petitioners.
5. Ms. Daisy Hannah, learned counsel for the petitioners submits that the said cancellation is not only contrary to the law but also to the facts of the case inasmuch as the petitioners, who were successful candidates and were awaiting their appointment letters, could not have



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been deprived of such valuable fundamental right, except in accordance with law.

6. Ms. Hannah submits that at the moment, the petitioners would be satisfied in case the present writ petition is treated as a representation with a direction to the respondent no.1 to dispose of the same within a short period.

7. Mr. Shivendra Singh, learned counsel appearing for respondent no.1 submits that, as of now, there is no proposal for filling up the vacancies. He submits that the respondent no.1 would comply with the directions so passed by this Court.

8. In view of the aforesaid, it appears to be appropriate to direct that the present writ petition be considered as a representation and disposed of by the competent authority of DSEU.

9. The said exercise be completed within a period of two weeks from today. An opportunity of hearing shall also be given to one of the petitioners by the competent authority before a reasoned order is passed.

10. The petition is disposed of with the above directions.

11. *Dasti.*

TUSHAR RAO GEDELA, J.

FEBRUARY 13, 2024

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