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

+ W.P.(C) 17978/2024, CM APPL. 76517/2024-Stay, CM APPL. 76518/2024-Exp.

ASHWANI KUMAR SINHA

.....Petitioner

Through: Mr. M. K. Bhardwaj and Mr. Deepanshu Mathpal, Advs. with petitioner in person.

versus

DELHI STATE INDUSTRIAL INFRASTRUCTURE
DEVELOPMENT CORPORATION LIMITED
AND ANR.

.....Respondents

Through: Mr. Gyanendra Singh, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

24.12.2024

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1. The petitioner has approached this Court assailing the order dated 04.01.2024 as also the subsequent order dated 09.05.2024 passed by the Principal Bench, Central Administrative Tribunal, New Delhi ('Tribunal') in O.A. No. 4164/2023.
2. We may note that vide the order dated 04.01.2024, the learned Tribunal, while issuing notice in the original application filed by the respondent no.2, had passed an order restraining the respondent no.1 from conducting any DPC for the vacant post of Superintending Engineer (Civil). This order has been extended from time to time and continue to bind the parties as on date.
3. Learned counsel for the petitioner submits that the petitioner has been compelled to approach this Court as after passing of the aforesaid interim



order dated 04.01.2024, the learned Tribunal without passing any order on the application for vacation of stay moved by the petitioner on 09.05.2024, has been simply adjourning the hearing of the said O.A. at the behest of the respondents and therefore grave prejudice is being caused to the petitioner who is fully eligible for being promoted to the said post. He, therefore, prays that the orders dated 04.01.2024 and 09.05.2024 passed by the Tribunal be set aside and the respondent no.1 be directed to forthwith conduct the DPC for filling up the posts of Superintending Engineer (Civil).

4. Having perused the impugned orders and considering the admitted position that the O.A. is being listed at regular intervals before the learned Tribunal, we find absolutely no reason to interfere with the impugned orders. We, accordingly, dismiss the writ petition along with all accompanying applications by granting liberty to the petitioner to request the learned Tribunal to take up the O.A. for final hearing on the next date, i.e. 16.01.2025, when the same is stated to be listed for consideration.

5. Further taking into account the urgency expressed by the petitioner, we request the learned Tribunal to consider and to take up the O.A. for disposal at its earliest convenience without granting any undue adjournment to any of the parties.

6. It is, however, made clear that this Court has not expressed any opinion on the merits of the petitioner's claims as raised in the present writ petition.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 24, 2024/bh