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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8712/2018, CM APPL. 33459/2018 –Stay & CM APPL. 42573/2023 -Dir.

THE UNION OF INDIA THROUGH THE SECRETARY

..... Petitioner

Through: Mr.D.S.Mahendru & Ms.Komal Rani,
Advs.

versus

SH. VIJAY R HAROR AND ORS.

..... Respondents

Through: Mr.Manish K Bishnoi & Mr.Khubaib
Shakeel, Advs. for R-1.

Mr.M.K.Bhardwaj, Mr.M.D.Jangra & Mr.Arun
Prakash, Advs.

Dr.Ashwani Bhardwaj & Mr.Akhil Sharma, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

30.04.2024

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1. The present petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 08.02.2018 passed by the learned Central Administrative Tribunal (Tribunal) in OA No.282/2018 filed by the private respondents. Vide the impugned order, the learned Tribunal has directed the petitioner to notify the modified recruitment rules in accordance with its earlier order dated 30.11.2010 passed in OA No.2940/2010.
2. We find that even though a direction to notify the modified recruitment rules was issued to the petitioner way back in 2010, which direction was again reiterated in 2018 under the impugned order, the



petitioner has till date not notified the said modified rules. Learned counsel for the petitioner submits that the decision to modify the recruitment rules is purely an administrative decision and therefore no such directions for notification of modified recruitment rules ought to have been issued by the learned Tribunal. Having perused the impugned order, we find that vide the impugned order, the learned Tribunal has merely reiterated its earlier order passed on 30.11.2010 and has not directed the petitioner to notify or modify the recruitment rules in any particular manner.

3. We, therefore, find no reason to interfere with the impugned order making it clear that if the impugned order is not implemented within a period of four weeks, it will be open for the respondents to initiate contempt proceedings as per law.
4. The petition is, accordingly, disposed of.

REKHA PALLI, J

SAURABH BANERJEE, J

APRIL 30, 2024

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