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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 737/2025, CM APPL. 76459/2025, CM APPL. 76460/2025 &
CM APPL. 76461/2025

DR GOPAL JHA AND ORS.Appellants
Through: Mr. Amar Nath Saini, Mr. Nisnesn
Sharma, Mr. Lakshay Aggarwal & Mr.
Himanshu Mishra, Advs.

versus

GOVT OF NCT OF DELHI AND ORS.Respondents
Through: Ms. Avnish Ahlawat, SC with Mr.
Nitesh Kumar Singh, Ms. Aliza Alam
& Mr. Mohnish Sehrawat, Advs. for
R1 & R2.

CORAM:
HON'BLE MR. JUSTICE DINESH MEHTA
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER
04.12.2025

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1. The petitioner has approached this Court against the order dated 20.11.2025 passed by the learned Single Judge, wherein he has simply observed that at this stage he does not find it to be a case worth interference – he has not even finally disposed of the stay application, let alone the writ petition.
2. While doing so, the learned Single Judge has observed that pursuant to fresh appointment process, 32 of the petitioners participated in the process and 3 were successful as stated by the learned counsel for the respondents, and unless they are parties before the Court no interim relief can be granted.



3. Learned counsel for the appellant argued that one set of contractual employees cannot be replaced by another set of contractual employees. He relied upon the Judgment of Hon'ble the Supreme Court rendered in the case of **State of Haryana & Ors. v. Piara Singh & Ors.** reported in (1992) 3 SCR 826 and the Judgment of this Court **Delhi Skill And Entrepreneurship University v. Neeru Kalher and Ors.** reported in 2023 DHC 7015-DB.

4. Heard.

5. We do not find any reason to interfere in our jurisdiction to hear a Letters Patent Appeal, as even the interim application has not been disposed of finally. Scope of Letters Patent Appeal is very limited and it is only once the rights of the parties have been finally adjudicated, an appeal is maintainable as per Clause X of the Letters Patent of the Delhi High Court.

6. After the above order was dictated, learned counsel for the appellant insisted that his above noted arguments based on **Piara Singh** (*Supra*) be dealt with, so that he can go to Hon'ble the Supreme Court, hence, though with reluctance, we are constrained to make observations on the merits of petitioner's case.

7. So far as the contention of learned counsel for the appellant based on judgment of Hon'ble Supreme Court in the case of **Piara Singh** (*supra*) case is concerned, we are of the firm view that principles laid down in the said case applies, when the contractual engagement is against regular post. The petitioner empanelment by Ayushman Bharat Health Infrastructure Mission, even if treated to be a contractual engagement is not alleged to be against regular and sanctioned posts.

8. That apart, a perusal of the advertisement so also terms of contract executed between the appellant and the respondent leaves no manner of doubt



that the engagement was only up to 31.03.2026 or until the new appointments are made in 'Ayushman Bharat Health Infrastructure Mission'.

9. According to us, since the respondents have made a statement before the learned Single Judge that the new appointments have been made under the above referred mission, the petitioner have no case on merit, let alone, grant of an interim relief.

10. The interim relief has rightly been turned down by the learned Single Judge.

11. The appeal is therefore dismissed.

12. All interlocutory applications stand dismissed accordingly.

DINESH MEHTA, J.

GIRISH KATHPALIA, J.

DECEMBER 4, 2025/sr