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

+ **W.P.(C) 5612/2026 & CM APPLs. 27499-27500/2026**

DR. SATINDER KUMAR GAUTAM

.....Petitioner

Through: Mr. Wajeeh Shafiq and Mr. Jatin
Rana, Advocates with Petitioner (in-
Person).

versus

GOVERNMENT OF N.C.T. OF DELHI

.....Respondent

Through: Mrs. Avnish Ahlawat, SC (GNCTD)
Services with Mr. Nitesh Kumar
Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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24.04.2026

1. At the outset, upon an objection raised by Mrs. Avnish Ahlawat, Standing Counsel (GNCTD) for the Respondent, regarding non-impleadment of necessary parties, Dr. Satinder Kumar Gautam, the Petitioner, assisted by his counsel, submits that an amended Memo of Parties shall be filed impleading the Chief Secretary, Government of NCT of Delhi and the Secretary (Law, Justice & Legislative Affairs), Government of NCT of Delhi as co-respondents. Let the amended Memo of Parties be filed during the course of the day.

2. The Petitioner is presently serving as the Presiding Officer of the Delhi School Tribunal, constituted under Section 11 of the Delhi School Education Act, 1973, which exercises appellate jurisdiction under Section 8(3) thereof. The appointment to the said post is made by the Administrator



of the Government of NCT of Delhi. The Petitioner's tenure is due to expire on 03rd July, 2026, in terms of Gazette Notification dated 03rd August, 2023. It is submitted that the Petitioner has already attained the age of 65 years on 04th April, 2026. In this backdrop, he urges that there is only a limited window for the Respondent to complete the process of search and selection of a successor, so as to ensure continuity in the functioning of the Tribunal.

3. The present petition has been filed seeking a direction to the Respondent to expeditiously finalize the appointment to the post of Presiding Officer, and, in the interregnum, to permit the Petitioner to continue in office so that the functioning of the Tribunal is not disrupted.

4. Mrs. Ahlawat, Standing Counsel, raises a preliminary objection as to the maintainability of the present petition. She submits that no direction can be sought by the Petitioner for continuation in office beyond his tenure. It is further submitted that the process of appointment falls within the domain of the Government and no mandamus can be issued in that regard in the manner sought. Additionally, without prejudice, she submits that any grievance of the Petitioner ought to be agitated before the Central Administrative Tribunal, which is the appropriate forum of first instance.

5. In response, counsel for the Petitioner submits that the present petition is not in the nature of a service dispute but is premised on larger public interest, namely, ensuring the uninterrupted functioning of the Delhi School Tribunal. However, on instructions, he submits that the Petitioner would be satisfied if the present writ petition is treated as a representation to the Government, to be considered in accordance with law.

6. Having regard to the limited nature of the relief now sought, the present petition is disposed of with a direction to the Respondent to treat the



petition as a representation and to take an appropriate decision thereon, in accordance with law, within a period of three weeks from today.

7. It is clarified that this Court has not expressed any opinion on the merits of the Petitioner's claim. The objections raised by the Respondent regarding maintainability, are left open to be considered at the appropriate stage, if so required.

8. With the above directions, the present petition is disposed of along with pending applications.

SANJEEV NARULA, J

APRIL 24, 2026

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