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

+ **CONT.CAS(C) 172/2025**

AVNIT

.....Petitioner

Through: Mr. Gaurav Sarawat, Adv and Mr. U.
Srivastava, Advs (*through VC*)

versus

**SH. NEERAJ MITTAL, SECRETARY MINISTRY OF
COMMUNICATIONS, AND ORS**

.....Respondent

Through: Mr. Naginder Benipal, SPC for UOI
with Ms. Vidhi Gupta, GP and Ms.
Pooja Agarwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

21.04.2025

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1. Pursuant to order dated 04th February 2025, it is stated by counsel for petitioner that no Review Petition has been filed and respondent has misled this Court.
2. Counsel for respondent appears and states that a Review Petition is expected to be filed in the next two days.
3. Notwithstanding this assertion, there is no reason why the orders of which compliance is sought, be not complied with by respondent.
4. The direction in order dated 20th November in **W.P.(C) 4869/2021** are as under:



15. In view thereof, we set aside the impugned judgment of the Tribunal to the extent it holds that the respondents could not be directed to operate the wait list a second time.

16. It is not in dispute that, had the wait list had been operated a second time, the petitioner, among others, would be entitled to appointment. We therefore direct that the petitioner be appointed to the post of Postman/Mail Guard in the Department of Posts, within a period of four weeks, with effect from the date when other candidates were appointed on the basis of the selection in which the petitioner, too, participated. The petitioner would not be entitled to any back wages but would be entitled to notional seniority.

5. List for '*compliance*' on 06th August 2025.
6. If compliance is not done, a responsible officer of respondent no.2 shall be present in Court on the next date of hearing.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 21, 2025/RK/na