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

+ **W.P.(C) 2458/2026**

**GURPREET KAUR WALIA**

.....Petitioner

Through: **Mr. Naman Jain, Advocate.**

versus

**GOVERNMENT OF NCT OF DELHI AND ANR** .....Respondents

Through: **Mrs. Avnish Ahlawat, SC, GNCTD**  
with **Mr. N. K. Singh, Ms. Aliza**  
**Alam and Mr. Mohnish Sehrawat,**  
**Advocates for R-1.**

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**

**28.03.2026**

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*[As per to Notification No. 64/G-4/Genl.-I/DHC dated 27<sup>th</sup> February, 2026, matters listed on 2<sup>nd</sup> March, 2026 (on account of "Holi"), are to be taken up on 28<sup>th</sup> March, 2026.]*

1. The Petitioner is an employee under the Government of NCT of Delhi and seeks to raise a grievance pertaining to the year-wise computation of reserved vacancies for persons with disabilities in Group 'C' posts, including the post of Stenographer Grade-II, on the basis of a single 100-point vacancy-based roster applicable across all Group 'C' posts.
2. Counsel for the Petitioner contends that this Court may entertain the present petition under Article 226 of the Constitution of India, having regard to the nature of the reliefs sought and the alleged failure of the Respondents to act in accordance with law.
3. In order to properly appreciate the controversy and the true nature of



the relief sought, it would be apposite to extract the substantive prayers made in the writ petition, which read as follows:

*“A. Direct Respondent No. 1 to immediately comply with the Order dated 08.03.2019, passed by Respondent No. 2;*

*B. Direct Respondent no. 1 to compute year-wise reserved vacancies for persons with disabilities in Group C posts including Grade-II Stenographer, on the basis of a single 100-point vacancy-based roster for all the Group C posts and to review the relevant DPCs, wherever required;*

*C. Direct Respondent No. 1 to rework the Petitioner’s seniority, based on her position in the review DPCs as per Rules, and grant all consequential benefits;*

*D. Direct Respondent No.1 to promote the petitioner from the date of entitlement in accordance with the DoPT guidelines with all consequential benefits including any further promotion that may arise therefrom, from the respective dates of accrual”*

4. A perusal of the aforesaid reliefs reveals that the Petitioner has, in substance, sought implementation of an order dated 08<sup>th</sup> March, 2019 passed by the State Commissioner for Persons with Disabilities, National Capital Territory of Delhi, purportedly in exercise of powers under Section 80 of the Rights of Persons with Disabilities Act, 2016. The entire edifice of the present petition rests upon the said order.

5. The jurisdiction exercised by the Commissioner under the aforesaid statutory framework is recommendatory in nature and does not partake the character of an enforceable adjudicatory determination having the force of law.<sup>1</sup> The Petitioner cannot, in the guise of the present writ proceedings, seek to elevate such recommendations into binding directions, nor can the present petition be treated as a vehicle for enforcement thereof.

6. The grievance articulated by the Petitioner, relating to reservation in promotion, computation of vacancies, review of DPCs, and consequential seniority, clearly falls within the domain of a service dispute between an



employee and the employer. Such disputes, in terms of the statutory scheme, are amenable to adjudication before the Central Administrative Tribunal under the provisions of the Administrative Tribunals Act, 1985.

7. It is well settled that where an efficacious alternative remedy is available before a specialised forum, this Court would be circumspect in exercising jurisdiction under Article 226 of the Constitution of India, particularly in matters involving disputed service rights and consequential benefits.<sup>2</sup>

8. Needless to note, in the event the Petitioner approaches the Central Administrative Tribunal, it would be open to her to place reliance, if so advised and permissible in law, upon the order dated 08<sup>th</sup> March, 2019, to substantiate her claims.

9. In view of the foregoing, the present petition is dismissed, with liberty to the Petitioner to avail appropriate remedies under the Administrative Tribunals Act, 1985 before the Central Administrative Tribunal, if so advised.

**SANJEEV NARULA, J**

**MARCH 28, 2026/hc**

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<sup>1</sup> *State Bank of Patiala v. Vinesh Kumar Bhasin* (2010) 4 SCC 368.

<sup>2</sup> *L. Chandra Kumar vs Union Of India And Ors.* 1997 (3) SCC 261.