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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5815/2024

SHRI DHARMENDER KUMAR

..... Petitioner

Through: Mr. N. S. Dalal, Mr. Alok Kumar,
Ms. Rachana Dalal, Ms. Sweta
Kadyan and Mr. Visvender,
Advocates

versus

**OFFICE OF PRINCIPAL DISTRICT AND SESSIONS JUDGE,
HEADQUARTERS**

..... Respondent

Through: Ms. Laavanya Kaushik, Advocate

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

25.04.2024

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(The proceeding has been conducted through Hybrid Mode)

1. By way of the present petition, the petitioner has sought the following reliefs:-

“(i) issue an appropriate writ order or direction thereby declaring the Petitioner being promoted to the post of J.A. since 08.04.2014 by Order dated 23.08.2017 on regular basis, OR IN THE ALTERNATIVE, at least from the date of availability of the post of Judicial Assistant (J.A.) which was available in the year 2017 and 2018;

(ii) issue an appropriate writ order or direction thereby quashing the order dated 13.02.2019 vide which the Petitioner has been reverted to the post of J.J.A. and declaring the same as non est and without the authority of law;

(iii) issue an appropriate writ order or direction thereby modifying the order dated 21.04.2023, vide which the



Petitioner has been again promoted to the post of J.A. on notional basis from 25.09.2021, to the extent of treating the Petitioner being promoted on regular basis as per order dated 23.08.2017 and not on officiating basis;

(iv) award costs of the present Writ Petition in favour of the Petitioner and against the Respondent;”

2. At the outset, this Court observes that some of the relief as sought by the petitioner are squarely covered against the petitioner by the recent judgment of this Court in ***District and Sessions Courts Employees Welfare Association Vs. District & Sessions Judge Headquarters and Anothe.*** reported in 2024 SCC Online Del 747. However, some of the reliefs may possibly not be effected by the said judgment.

3. On the limited ground, issue notice.

4. Notice is accepted by Ms. Kaushik, who seeks and is granted six weeks time to file counter affidavit with an advance copy to learned counsel appearing for the petitioner. Rejoinder, thereto if any, be filed within four weeks, thereafter, with an advance copy to learned counsel for the respondent.

5. List on 08.08.2024 before the Registrar for completion of pleadings.

6. List on 25.09.2024 before Court.

TUSHAR RAO GEDELA, J

APRIL 25, 2024

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This is a digitally signed order.

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