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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 8136/2024 & CM APPL. 33425/2024

KISHAN LAL

..... Petitioner

Through: Mr. Alex Jospeh, Mr. Mayank
Dwivedi and Mr. Alam Sabu,
Advocate

versus

**NETAJI SUBHAS UNIVERSITY OF
TECHNOLOGY & ORS**

..... Respondents

Through: Ms. Laavanya Kaushik, Advocate

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

29.05.2024

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(The proceeding has been conducted through Hybrid Mode)

1. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking *inter alia* the following reliefs:-

“i. Issue an appropriate writ in the nature of the mandamus or any other writ, order or direction in the nature thereof directing the respondents to call for the service record of the petitioner and issue a writ of mandamus directing to consider the petitioner on the post of Attendant/LDC w.e.f. 21.07.2004 as per his seniority in the prepared list on the basis of daily wage in the year 2004 and counting of his past services or consider him in the post of LDC w.e.f. 12.12.2012 as per seniority i.e. promotion of Attendant to LDC by counting his past services and promote him to the post of UDC as per NSIT Rules or consider his regularization since 04.11.2006 i.e. the date of the vacancy of the post of LDC as per the committee's recommendations dated 19.04.2021 under the directions issued by the Hon'ble Supreme Court of India in the matter of Uma



Devi, along with consequential benefits with all arrears of pay and interest at 18% LPA.

ii. Issue an appropriate writ in the nature of the mandamus or any other writ, order or direction in the like nature thereof directing the respondents to promote the petitioner to the post of Upper Divisional Clerk/head Clerk as per his tenure, seniority in compliance with the University's Rules.

iii. Issue an appropriate writ in the nature of the mandamus or any other writ, order or direction in the like nature thereof directing the respondents to pay the cost of the legal proceedings to the Petitioner."

2. Issue notice.
3. Notice accepted by Ms. Kaushik, learned counsel for all the respondents
4. Counter affidavit be filed within six weeks with an advance copy to learned counsel 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 before the Registrar for completion of pleadings on 08.10.2024.

TUSHAR RAO GEDELA, J

MAY 29, 2024/ms