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

+ **W.P.(C) 1317/2020 & CM APP No. 6871/2020**

SANJAY KUMAR SHARMA & ORS. Petitioners

Through: **Ms.Eysha M., Ms.Disha Sachdeva
and Mr.Jaideep Singh, Advs.**

versus

GOVT OF NCT OF DELHI & ORS.

..... Respondents

Through: **None**

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% 26.02.2020

C.M. Appl. No. 6871/2020 (filed by the petitioner for Stay)

1. This application was moved by the petitioners on 17.02.2020 and was listed before the roster bench (Division Bench II) on 20.02.2020, on which date, as the lawyers were abstaining from appearing in court, the same was adjourned for today. The prayer made here is for restraining the respondents from terminating the services of the petitioners in the light of the order of the respondent No. 1 dated 16.02.2015 on a show cause notice issued to contractual employees engaged by the departments as to why their services be not terminated.

2. As the roster bench has not assembled today, the matter has been mentioned by learned counsel for the petitioners who presses the stay application.

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3. Learned counsel for the petitioners seeks a restrain order against the respondents restraining them from filling up the vacancies to the post of Assistant Professors, (Group-A), working in the College of Arts that falls under the respondent No.1/GNCTD. On enquiring from learned counsel as to the date on which the advertisement in question was issued by the respondents, pursuant where to the candidates who had applied for the subject posts have been selected on a regular basis, she states that the first advertisement was issued in December 2019.

4. We may note that the present petition is directed against an order dated 08.07.2019, passed by the Central Administrative Tribunal (in short 'CAT') whereby the Original Application filed by the petitioners for regularising their services on the posts of Assistant Professors was rejected. The present petition assailing the said order was initially filed by the petitioners after waiting for five months, on 04.12.2019. The same was returned under objections by the Registry on several occasions for curing the defects. After all the defects were cured, the petition was listed before the Division Bench for the first time on 05.02.2020. Even at that stage, no stay application was filed. It took the petitioners two more months to file the present application.

5. If really aggrieved, the petitioners ought to have acted with alacrity to assail the judgment passed by the Tribunal as long back as on 08.07.2019. However, for reasons best known to them, they took their own sweet time to file the present petition.

6. On enquiring, as to the present status of appointment to the subject posts, learned counsel for the petitioners states that the process of selection



undertaken by the UPSC has concluded and the list of the successful candidates has been declared.

7. In such circumstances, we are not in a position to grant any interim relief to the petitioners, as prayed for.

8. The application is dismissed.

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List before the Roster Bench on 05.05.2020, the date already fixed.

HIMA KOHLI, J.

ASHA MENON, J.

FEBRUARY 26, 2020

Neelam/pkb

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