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

+ **W.P.(C) 14996/2024**

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs. Avnish Ahlawat, Standing
Counsel with Mr. Nitesh Kumar Singh, Ms.
Laavanya Kaushik, Ms. Aliza Alam, Mr.
Mohnish Sehrawat, Advs.

versus

ADITI KUMARI AND ORS.Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **24.10.2024**

CM APPL. 62832/2024 [Exemption]

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 14996/2024

3. The petitioners are aggrieved by the fact that the learned Central Administrative Tribunal¹ has, by the impugned judgment, directed appointment of the respondent despite the fact that the qualification

¹ "the learned Tribunal", hereinafter
W.P.(C) 14996/2024



which she holds is admittedly from an institute which is unrecognized. We have seen the impugned order and we feel that the precedent on which the learned Tribunal has placed reliance is based on entirely different facts.

4. A *prima facie* case has been made out by the petitioners. Failure to grant *ad interim* relief would result in irreparable prejudice. The balance of convenience is also in favour of grant of *ad interim* relief.

5. Accordingly, issue notice to show cause as to why rule *nisi* be not issued.

6. Notice be served by all modes as well as through the learned Counsel who appeared on behalf of the respondent before the learned Tribunal.

7. Counter affidavit, if any, be filed within four weeks with advance copy to learned Counsel for the petitioners who may file rejoinder thereto, if any, within four weeks thereof.

8. Re-notify on 17 February 2025.

CM APPL. 62831/2024 [Stay]

9. Issue notice, returnable on 17 February 2025.

10. Notice be served by all modes as well as through the learned

W.P.(C) 14996/2024

Page 2 of 3



Counsel who appeared on behalf of the respondent before the learned Tribunal.

11. Reply, if any, be filed within four weeks with advance copy to learned Counsel for the petitioners who may file rejoinder thereto, if any, within four weeks thereof.

12. Till the next date of hearing, there shall be a stay of operation of the impugned judgment passed by the learned Tribunal.

C. HARI SHANKAR, J.

DR. SUDHIR KUMAR JAIN, J.

OCTOBER 24, 2024

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Click here to check corrigendum, if any