

Pradeep Kumar vs.the District & Sessions Judge (Headquarters)

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Court : Delhi

Decided On : Jan-24-2018

Appellant : Pradeep Kumar

Respondent : The District & Sessions Judge (Headquarters)

Advocate for Def. : Ms. Palak Rohmetra

Advocate for Pet/Ap. : Mr. Rajat Aneja, Ms. Rashmi Verma

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI + Date of Decision: January 24, 2018 W.P.(C) 738/2018 & C.M. 3117/2018 1. PRADEEP KUMAR

... Petitioner

Through: Mr. Rajat Aneja & Ms. Rashmi Verma, Advocates Versus THE DISTRICT & SESSIONS JUDGE (HEADQUARTERS) Through: Mr.Sanjay Dewan & Ms. Palak Rohmetra, Advocates for respondent No.1 Respondent CORAM: HON'BLE MR. JUSTICE SUNIL GAUR JUDGMENT ORAL

... Petitioner

was promoted as Judicial Assistant on 23rd August, 2017. In this petition, promotion to the post of Judicial Assistant is claimed w.e.f. 13th June, 2008, while claiming parity with employees at Serial Nos. 170 to 183 (except Sl. No.177) in the Order of 23rd August, 2017 (Annexure P-6). To seek the relief claimed in this petition, petitioner had made a Representation on 25th September, 2017, followed

by a reminder on 17th November, 2017 (Annexure P-7 colly). According to petitioners counsel, there is no response to these Representations. However, it is submitted that the case of petitioner is fully covered by O.M.No.22011/4/2007-Estt.(D) of 28th April, 2014 issued by Department of Personnel & Training (Annexure P-9) and by the relevant extract of Swamis compilation on Seniority and Promotion (Annexure P-8). W.P.(C) 738/2018 Page 1 of 2 2. Since petitioners Representation of 25th September, 2017, (Annexure P-7 colly) has not been responded to, therefore, this petition is disposed of with direction to respondent to pass a speaking order thereon within eight weeks.

3. At this stage, counsel for petitioner submits that this writ petition be treated as a Representation and speaking order be passed thereon. Instead of adopting such a course, it is deemed appropriate to permit petitioner to make a concise Representation to respondent within a week. If such a Representation is received by respondent, it be considered and decided within eight weeks by passing a speaking order. The fate of Representation be made known to petitioner within a week thereafter, so that petitioner may avail of the remedies, as available in law, if need be.

3. With aforesaid directions, this petition and application are disposed of. SUNIL GAUR (JUDGE) JANUARY24 2018 r W.P.(C) 738/2018 Page 2 of 2

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