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

% *Date of decision: 03.09.2020*

+ W.P.(C) 5940/2020

DISTRICT AND SESSIONS COURTS EMPLOYEES
WELFARE ASSOCIATION Petitioner

Through: Mr. Rajat Aneja & Ms. Bhawana
Pandey, Advocates

Versus

THE DISTRICT SESSIONS JUDGE
HEADQUARTERS & ANR. Respondents

Through: Mrs. Avnish Ahlawat, Standing
Counsel GNCTD (Services) with
Mr. Rishikesh Kumar, ASC & Mr.
R.A. Iyer, Advocate

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

JYOTI SINGH, J. (ORAL)

CM APPL. 21458/2020

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5940/2020

1. Present Petition has been filed by the District and Sessions Court Employees Welfare Association seeking the following reliefs:

“a. To forthwith initiate appropriate measures by way of promotions to fill up the vacancies of Readers (now nomenclatured as Senior Judicial Assistants and Ahlmads (now nomenclatured as Judicial Assistants); in consonance and compliance with the Letters, bearing Reference No. FI/82/05-JUDL./SUPTLAW/98-101 dated 29.01.2013 and Reference No. F.6/2/2019-JUDL./P.F./SUPTLAW/1479 dated 08.08.2019 issued by the Respondent No. 2, and the Notification dated 18.02.2019 issued by the Respondent no. 1, alongwith all the consequential benefits, i.e. Seniority, arrears etc. from the date of arising of those vacancies;

b. And also to forthwith take appropriate measures to fill up the vacancies of Assistant Ahlmads (now nomenclatured as Junior Judicial Assistants) falling vacant owing to the promotions of the Readers (now nomenclatured as Senior Judicial Assistants) and Ahlmads (now nomenclatured as Judicial Assistants) through the impending recruitment drive, in the light of the detailed facts and circumstances narrated hereinabove.”

2. Mr. Rajat Aneja learned counsel for the Petitioner Association has drawn the attention of the Court to an order dated 21.03.2018 passed by the Court in W.P.(C) 2719/2018, wherein the following directions were issued:

“3. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition while calling upon first respondent to consider petitioners' said Representation (Annexure P-8) expeditiously and to make all endeavours to fill up the vacant posts. Needless to say, the outcome of said Representation (Annexure P-8) would be made known by first respondent to petitioners within a period of twelve weeks or so.”

3. Mr. Aneja submits that despite passage of over two years after the direction of this Court in W.P.(C) 2719/2018, no steps have been taken towards promotions in the post of Judicial Assistants and Senior Judicial Assistants in the District Court. He submits that even a Representation has been made to that effect by the Petitioner on 07.08.2020 to the learned District and Sessions Judge.

4. Issue Notice.

5. Mrs. Avnish Ahlawat accepts Notice on behalf of Respondents. Mrs. Ahlawat submits, on instructions, that the process of appointment/recruitment in the posts of Junior Judicial Assistants, Senior Personal Assistants, Personal Assistants, Data Entry Operator and Group 'C' Employees has already been initiated and is underway.

6. Mrs. Ahlawat further submits that in so far as promotion to the post of Junior Judicial Assistants and Senior Judicial Assistants is concerned, the Petitioner has already given a Representation on 07.08.2020 and the same shall be disposed of as expeditiously as possible.

7. I have heard learned counsels for the parties.

8. In the fitness of things, the present petition is disposed of with a direction to the learned District & Sessions Judge to dispose of the Representation dated 07.08.2020 made by the Petitioner Association, as expeditiously as possible and not later than four weeks from today. Needless to state that the decision so taken on the Representation shall be communicated to the Petitioner Association, and the Association is at liberty to resort to the remedies available to it in law, if any grievance survives thereafter.

9. The Court reiterates the observations made by the Coordinate Bench in the order dated 21.03.2018 in W.P.(C) 2719/2018 that every endeavour shall be made by the learned District & Sessions Judge, to fill up the vacant posts, as expeditiously as possible.

JYOTI SINGH, J

SEPTEMBER 3, 2020/rd

HIGH COURT OF DELHI



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