

§-8

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

+ CONT.CAS(C) 1133/2016 & CM APPL. 10202/2019, CM APPL. 14546/2019, CM APPL. 14547/2019, CM APPL. 19789/2019, CM APPL. 47211/2019, CM APPL. 55258/2019, CM APPL. 2520/2021, CM APPL. 10298/2021

SOCIAL JURIST A LAWYERS GROUP Petitioner

Through: Mr. Ashok Agarwal and Mr. Kumar Utkarsh and Mr. Manoj Kumar, Advocates

versus

DHARMENDER SHARMA & ORS Respondents

Through: Mrs. Avnish Ahlawat, SC for GNCTD with Ms. Tania Ahlawat and Ms. Laavanya Kaushik, Advocates
Ms. Beenashaw N. Soni, SC for MCD with Ms. Mansi Jain, Advocates

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **23.05.2023**

1. The learned standing counsel for Respondent No. 3, Director of Education, GNCTD. ('DoE') has placed on record a status report dated 06.04.2023, wherein at paragraph no. 4, DoE has tabulated the vacancy position of the teachers in schools of DoE.
2. The learned counsel for the Petitioner has pointed out that the quantity of vacant posts would be a total sum of the 'numbers' mentioned in the column titled as "*number of guest teacher working*" plus, the column with "*vacant post*" as mentioned in the status report.

Signature Not Verified

Digitally Signed
By: MAHIMA SHARMA
Signing Date: 25.05.2023
18:54:32

2.1. He states that in this manner the total number of posts which have to be filled up by DoE, GNCTD is 20,467 posts.

3. In response, learned counsel for the Respondents states that DoE has initiated the process of sending a requisition to Respondent No. 1, Delhi Subordinate Services Selection Board ('DSSB').

3.1. She states that in fact there has been a direction issued by the Division Bench in a PIL writ to this effect, wherein the Division Bench has directed the Respondents *inter alia* to ensure that the physically handicapped category be also identified and accounted for, while filling up these vacant posts.

3.2. She states that the entire exercise is expected to be completed within a period of two (2) weeks after accounting for the directions given by the Division Bench.

4. The said statement of Respondent No. 1 is taken on record.

5. The learned counsel for the Respondent Nos. 3 to 5, Municipal Corporation of Delhi (MCD) has similarly relied upon her status report dated 11.04.2023 and referred to the tabulation set out in paragraph 3 therein.

5.1. She states on instructions that the total number of vacant posts in the four (4) categories are 5750 posts. She states that Respondent Nos. 3 to 5, MCD will be sending requisition to Respondent No. 1, DSSB for initiating the process of filling up the vacant posts.

6. The learned counsel for the Respondent No. 1 states that for filling up the vacancies in the schools managed by MCD, DoE and NDMC; the DSSB will be holding a common exam for all applicants, as per the post of different categories.

7. The learned counsel for the Respondents states that the matter may be fixed in July for reporting compliance in this regard.

8. Accordingly, at the request of the Respondents list on 31.07.2023.

CM APPL No. 27451/2023

9. This is an application filed by Respondent Nos. 3 to 5, MCD seeking condonation of delay of six days in filing the status report.

10. For the reasons stated in the application, the delay is condoned and the status report is taken on record.

11. With the aforesaid directions, the application stands allowed.

CM APPL 27452/2023

12. This is an application filed by Respondent Nos. 3 to 5, MCD seeking waiver of costs imposed by this Court *vide* order dated 07.03.2023.

13. The learned counsel for the Petitioner states that in view of the averments stated therein, he has no objection to the prayer sought in the application.

14. In view of the fact that the status report has been filed, the present application is allowed and the imposition of costs is waived. However, Respondent Nos. 3 to 5 are directed to ensure that in future the pleadings are filed within a time bound manner.

15. With the aforesaid directions, the application stands allowed.

CONT.CAS(C) 1133/2016

List on 31.07.2023

MANMEET PRITAM SINGH ARORA, J

MAY 23, 2023/hp/ms