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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 3401/2022, CM APPL. 9949/2022 & 9950/2022**  
**JANE KAUSHIK**

..... Petitioner

Through: Mr. Amritananda Chakravorty, Adv.  
with Mr. Mihir Samson, Ms. Shreya  
Munoth & Mr. Asawari Sodhi, Advs.

versus

**LIEUTENANT GOVERNOR, NCT OF DELHI & ORS.**

..... Respondent

Through: Mrs. Avnish Ahlawat, SC (GNCTD)  
with Mrs. Tania Ahlawat, Mr. Nitesh  
Kumar Singh & Mr. Siddhant Tyagi,  
Advs.  
Mr. Jawahar Raja, ASC (Civil)  
GNCTD for R-2 & 3

**CORAM:**  
**HON'BLE MR. JUSTICE V. KAMESWAR RAO**

**ORDER**

% **24.02.2022**

This matter is being heard through Video-Conferencing.

**CM APPL. 9950/2022**

Exemption allowed subject to all just exceptions.

Application is disposed of.

**W.P.(C) 3401/2022 & CM APPL. 9949/2022**

1. This petition has been filed by the petitioner with the following prayers:-

*“In light of the facts and circumstances stated above, it is most respectfully prayed that this Hon’ble Court be pleased to:*

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- a. *Issue an appropriate writ, order or direction to Respondent Nos.1, 2 and 4 to notify separate vacancies for transgender persons in all advertisements issued for recruitment to teaching positions in schools administered by Respondent No. 2 with immediate effect:*
- b. *Issue an appropriate writ, order or direction to Respondent Nos.1, 2 and 4 to adopt necessary relaxations in minimum qualifications and age for the vacancies to be issued for transgender persons;*
- c. *Issue an appropriate writ, order or direction to Respondent Nos.1, and 4 to frame a policy for the recruitment of transgender persons in all appointments for the Government of NCT of Delhi;*
- d. *Issue an appropriate writ, order or direction to the Respondent Nos. 1, 2 and 4 to grant relaxations to transgender persons in accordance with Clause 9 of the TET Guidelines issued by NCTE;*
- e. *Issue an appropriate writ, order or direction to Respondent Nos.1 to implement the provisions of the Transgender Persons (Protection of Rights) Act, 2019 and the Transgender Persons (Protection of Rights) Rules, 2020 in the territory of NCT of Delhi;*
- f. *Issue an appropriate writ, order or direction to the Respondent Nos. 2. and 4 to consider the Petitioner's application for any vacancy to a teaching position notified or due to be notified as a one-time measure;*
- g. *Issue an appropriate writ, order or direction to the Respondent No. 4 to permit the Petitioner to amend her registration details, to reflect her legal gender and name on the OARS;*
- h. *Issue a writ, order or direction to the Respondents to*

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*extend reservation to transgender persons in all public appointments in the NCT of Delhi; and*

*i. Pass such further and other orders as the Court may deem fit in the interest of justice and in the facts and circumstances of the present case.”*

2. Notice, Ms. Ahlawat accepts notice.
3. Learned counsel for the petitioner would submit that the petitioner be permitted to change the name and gender in the OARS, the portal managed by the DSSB. The petitioner shall be at liberty to make a request to the DSSB, which will consider the request of the petitioner and act accordingly.
4. Counter affidavit be filed within four weeks. Rejoinder within two weeks thereafter.
5. List before Registrar for completion of pleadings on 27<sup>th</sup> April, 2022.

**V. KAMESWAR RAO, J**

**FEBRUARY 24, 2022/ak**