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

CNR No. DLHC010397302026

+ **W.P.(C) 12322/2026 & CM APPL. 57189/2026 – STAY, CM APPL. 57191/2026 – EXMP. FROM FILING LENGTHY LIST OF DATES AND SYNOPSIS**

IC 56392L COL SANJAY KUMAR

.....Petitioner

Through: Mr. S.S. Pandey, Mr. Roshan Kumar,
Mr. H.S. Tiwari, Ms. Garima Singh,
Ms. Nandita Lal, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr Farman Ali CGSC, Ms Usha
Jamnal, Ms Tanya, Advs. Col
Sushitra, Lt Col Tarun Pillai, Major
Anish Murlidhar.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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24.08.2026

CM APPL. 57190/2026 – EXMP. FROM FILING TYPED COPIES

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(C) 12322/2026 & CM APPL. 57189/2026 – STAY, CM APPL. 57191/2026 – EXMP. FROM FILING LENGTHY LIST OF DATES AND SYNOPSIS

3. The writ petition is directed against the interim order dated 1st April,



2026.

4. The fact is that the Original Application preferred by the petitioner is still pending for consideration, wherein the issue of denial of promotion on a particular date is involved.

5. It is the case of the petitioner that, between 15th September and 29th October, 2025, there existed four vacancies, and the petitioner's entitlement against one of the said vacancies ought to have been expressly dealt with by the Tribunal.

6. We are of the view that such an issue can always be left open to be contested and canvassed before the Tribunal, as the Original Application is still pending. If so canvassed, we expect the Tribunal to deal with the said issue without being influenced by the findings recorded in the impugned order dated 1st April, 2026

7. With these observations, the writ petition stands disposed of.

8. Pending application(s), if any, also stand disposed of.

9. Order be uploaded on the website of this Court *forthwith*.

NITIN WASUDEO SAMBRE, J

AMIT SHARMA, J

AUGUST 24, 2026/kr/ah