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

+ W.P.(C) 1368/2016

BIJENDER SINGH & ANR. Petitioners

Through: Ms. Saahila Lamba, Advocate

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Rajan Sabharwal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **25.04.2016**

C.M. 13411/2016 (u/S 151 CPC)

1. Learned counsel for the petitioners states that she does not wish to press this application for early hearing, as the petition is coming up for hearing on 6th May, 2016.
2. The application is dismissed as not pressed.

W.P.(C) 1368/2016 & C.Ms.11504/2016 & 5972/2016

1. Learned counsel for the respondents states that nothing survives for consideration in the present petition, as during the pendency of this petition, both the petitioners have been selected after being empanelled. He hands over a copy of a list of empanelled candidates to the post of Sub-Inspectors, RPF (NR), where the name of the petitioners No. 1 and 2 feature at Sl. Nos. 50 & 22 respectively. Copy of the said documents is taken on record.

2. Learned counsel for the petitioner submits that an application for seeking impleadment by a party as a co-petitioner is still pending [C.M. 11504/2016].
3. We are of the opinion that the applicant in C.M. 11504/2016 is entitled to file a separate writ petition for relief and that alone cannot be a ground to continue the present petition.
4. Learned counsel for the petitioners proceeds to state that the petitioners' seniority would be affected inasmuch as they have challenged the third notification dated 1st October, 2015, issued by the respondents for making promotion to the rank of Sub-Inspectors, which aspect remains pending for adjudication.
5. The petitioners shall be at liberty to file a representation before the respondents seeking seniority within two weeks, which shall be considered and decided by the respondents within six weeks and decision taken be communicated in writing to the petitioners. If the grievance of the petitioners still survives, then they shall be at liberty to seek their remedies in accordance with law.
6. The petition is disposed of along with the pending applications.
7. The date of hearing of 6th May, 2016, stands cancelled.

HIMA KOHLI, J

SUNIL GAUR, J

APRIL 25, 2016

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