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

+ W.P.(C) 8184/2016

RAKESH KUMAR PANDEY & ORS

..... Petitioners

Through: Mr.Anil Kumar Dwivedi, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr.Ruchir Mishra with Mr.Abhishek
Khanna, G.P. & Mr.Sanjeev Saxena,
Mr. Mukesh Kumar Tiwari,
Advocates for R-1 to 4.

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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16.09.2016

This writ petition has been filed seeking orders/directions in the nature of mandamus commanding the respondents to hold DPC which has been stopped since 2014 and to grant promotions to the post of Charge Mechanic under Column 11 of the Ministry of Road Transport and Highways, Border Roads Development Board, General Reserve Engineer Force (Border Roads Organisation), Group 'C' post Recruitment Rules, 2012 (hereinafter referred to as the 'GREF Rules, 2012').

From the reply of the respondent-authorities to the legal notice served by the petitioner which is also under challenge in the writ petition, it is patently clear that Departmental Promotion Committees are not being constituted since there are no vacancies available.

Counsel appearing on behalf of the petitioner draws our attention to notification dated 09.07.2012 which indicates that there are 1677 posts of Charge Mechanic. However, as rightly pointed out by learned counsel appearing on behalf of the respondents, 1677 is the maximum number and that is subject to variation depending on work load. It is submitted that having regard to the work load, no more Charge Mechanics are required at this moment. Departmental Promotion Committee will be constituted as and when there are vacancies. The interference of this Court is not warranted.

The writ petition is therefore, dismissed.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

SEPTEMBER 16, 2016

gm

