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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9363/2016, CM No. 37608/2016
S RAVI CHANDRAN Petitioner
Through: Mr. Sanjay K. Shandilya, Adv.
versus

UNION OF INDIA AND ORS Respondents
Through: Ms. Shiva Lakshmi, CGSC with Mr.
Ruchir Ranjan Rai, Adv. for R-1 to 4
with Mr. Arvind Sharma, Dy.
Commandant

CORAM:
HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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06.10.2016

1. This writ petition has been filed by the petitioner, an Assistant Commandant of the BSF challenging the Third Cadre Review of Group 'A' Executive Cadre of the Border Security Force as sanctioned by the President of India and published by a communication /order dated 21st September, 2016.
2. Directions have also been sought on the respondents to carry out cadre review in accordance with law and in terms of the order dated 22nd April, 2015 passed by the Division Bench of this Court in the writ petitions being W.P.(C) No. 1611/2015 and W.P.(C) No. 3046/2015.

3. The impugned order of cadre review has been annexed to the writ petition. 74 posts have been created in the BSF, as given in the table contained in the said order.
4. It appears that the cadre review involves creation of 404 posts in the General Duty Cadre and abolition of 330 posts of Constable and Head Constable as mentioned in Annexure-I to the said impugned order.
5. The financial implication of cadre review of Group 'A' posts for net creation of 74 posts is estimated at Rs.16.50 Crores. An approval has been accorded by the Government to surrender/abolish 183 posts of Head Constable (Ministerial) and 183 posts of Constable from Quarter Master Platoon from the Battalion Headquarters to make the proposal revenue neutral. The matching saving to surrender the above 366 posts is to come to Rs.16.87 Crores.
6. The upgraded/newly created posts are to come into existence from the respective dates, the same are filled up and the appointments to the posts sanctioned are to be made in accordance with the Rules/Regulations governing such appointments. The posts are to carry their usual pay and allowances as per orders issued by the Government from time to time.

7. The petitioner, as observed above, is an Assistant Commandant and we find that the petitioner, is in no way affected by the impugned cadre review, which neither affects his service conditions nor any future prospects. We are of the view that the petitioner has no locus standi to question the cadre review announced by the impugned communication / order dated 21st September, 2016. We do not deem it necessary to interfere with the impugned order of cadre review at the instance of the petitioner, who, it is reiterated, is not directly affected or even indirectly affected by the impugned cadre review order, which involves abolition of 183 posts of Head Constable (Ministerial) and 183 posts of Constable from Quarter Master Platoon.

8. The writ petition is accordingly dismissed.

CM No. 37608/2016 (for stay)

Dismissed as infructuous.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

OCTOBER 06, 2016/ak