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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10483/2017 & C.M No.42909/2017**
CHARAN SINGH BHANVARIYA Petitioner

Through Mr.Ankur Chhibber, Adv.

versus

UNION OF INDIA AND ORS. Respondents

Through Mr.P.S. Singh, Adv. with Ms.Annu Singh, Adv. & Ms.Swati Bansal, Adv.
for R-1 to 3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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27.11.2017

C.M No.42909/2017(for exemption)

1. The present application is allowed, subject to just exceptions.

W.P.(C) 10483/2017

1. The petitioner, who is presently working on the post of Assistant Commandant in the Central Reserve Police Force (CRPF), has filed the present petition praying *inter alia* for issuing a writ of mandamus to the respondents, to appoint him in the 41st Batch alongwith the members of the said batch in December, 2009 with all consequential benefits.

2. Mr. Chhibbar, learned counsel for the petitioner, states that on 06.02.2009, the batchmates of the petitioner in the 41st batch, were issued appointment letters, but the petitioner was not issued any such appointment letter despite his selection in the 41st Batch. Later on, the respondent no.2 & 3/CRPF informed the petitioner that a “No Objection” from his previous employer had not been received. Even after a “No Objection” was received

from the previous employer of the petitioner i.e. the Indian Air Force (IAF), the respondent no.2 appointed him with the 42nd Batch and called on him to join duty alongwith the 43rd Batch, on 15.05.2010.

3. Aggrieved by the said decision of placing the petitioner at the top of 43rd Batch but below the 41st and 42nd Batch in the seniority list, he made a representation to the respondents on 18.03.2016. Thereafter, the respondents sought certain clarifications vide letter dated 2nd May, 2017, which were duly furnished by the petitioner on 04.08.2017. The grievance of the petitioner is that even thereafter, the respondents have not taken any decision on the said representation.

4. Learned counsel for the respondents, who appears on advance notice, assures the Court that the respondent no. 2 & 3/CRPF shall take a decision on the petitioner's representation within four weeks from today.

5. In view of the aforesaid submission, the present petition is disposed of alongwith all pending applications with a direction issued to the respondent no. 2 & 3 to decide the petitioner's representation by passing a speaking order under written intimation to him.

6. If the petitioner is still aggrieved by the decision taken, he shall be entitled to seek legal recourse.

7. The present petition is disposed of in the above terms.

HIMA KOHLI, J

REKHA PALLI, J

NOVEMBER 27, 2017/aa

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