

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

Date of Order: March 19, 2018

+ **W.P.(C) 2536/2018**

JYOTSNA MISHRA Petitioner
Through: Mr. R.S. Mishra and Mr. Anand
Mishra, Advocates

versus

UNION OF INDIA & ORS Respondents
Through: Mr. A.K. Gautam, Advocate for
respondent No.1
Mr. Digvijay Rai, Advocate for respondent-AAI

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Impugned order of 12th December, 2017 (*Annexure-F*) is not in compliance with this Court's order of 3rd November, 2017 (*Annexure-E*) vide which fourth respondent was directed to pass a speaking order on petitioner's Representation of 22nd February, 2017 (*Annexure-D colly.*).
2. The stand of petitioner in the Representation (*Annexure-D colly.*) is that a composite promotion letter of 31st August, 2015 (*Annexure-A*) vide which petitioner was also promoted was displayed on Social Media only and was neither officially served upon her nor was it sent to her parent unit and so, petitioner could not join on the promoted post.
3. Impugned order does not deal with the aforesaid crucial aspect, which renders it unsustainable and is thus quashed. The fourth respondent

is hereby directed to decide petitioner's Representation (*Annexure-D colly.*) afresh by a detailed speaking order while dealing with each of the averments made in the Representation, within a period of four weeks from today and its fate be conveyed to petitioner within a week thereafter. Fourth Respondent shall also append the relevant documents alongwith the order on petitioner's Representation, so that validity of the order so passed can be judged on the basis of the documents so attached. If petitioner's promotion is not to be given effect from 1st July, 2014, then the valid reasons be indicated in the order so passed.

4. With aforesaid directions, this petition is disposed of.

Copy of this order be given *dasti* to counsel for the parties.

MARCH 19, 2018

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**(SUNIL GAUR)
JUDGE**

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