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

+ W.P.(C) 4802/2013 and CM APPL. 10171/2017

ANIL KUMAR SOHU & OTHERS Petitioners

Through: Ms. Saahila Lamba, Advocate.

versus

UNION OF INDIA & OTHERS Respondents

Through: Mr. Gaurav Sarin, Advocate with
Mr. Abhishek Manchanda and Mr. Harish Kumar,
Advocates for R1 to R3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **12.04.2018**

1. The petitioners, who are working with the respondents/BSF in the Stenography Cadre, have filed the present petition for issuing directions to the respondents to grant them promotion, create equal number of posts of Inspectors/ACs/Stenographers as the senior posts, restore the posts of stenographers in the BSF that were abolished in the year 2003, assign them the correct seniority and conduct cadre review of Group A posts etc.

2. On 05.07.2017, the following order was passed in the matter:-

“We have heard Mr.Anil Kumar Sohu, petitioner No.1 who is present in person.

The present writ petition along with representation, if any, made by the petitioners will be placed before the Committee which is going into the question of Cadre Review in the Cadre of Stenographers.

This aforesaid observation is not to be construed as any direction or finding of the Court. It is also pointed out by the Learned counsel for the respondents that some of the reliefs prayed for in the writ petition are beyond the scope of the Cadre Review Committee.

We have been pointed out that Cadre Review Committee was constituted two years back in 2015.

The respondents will file an affidavit on the present status of proceeding and recommendation, if any, made by Cadre Review Committee. The affidavit would also indicate the procedure and time/date by when the exercise would be completed.

The contention of the petitioner No.1 is that the Cadre Review had not undertaken for the last twenty five years which has adversely affected the stenographers. The respondents would take notice of the facts and would take the decision expeditiously.

The affidavit by the respondents may be filed within six weeks from today. The petitioners are at liberty to file response to the said affidavit within two weeks thereafter.

List on 22nd August, 2017.”

3. Pursuant to the above order, after much delay, the respondents have finally filed an affidavit dated 15.02.2018, wherein it has been stated that the process of cadre review is split into 8 stages and the present case relating to cadre review in the cadre of stenographers, is at the 5th stage.

4. Mr. Sarin, learned counsel for the respondents states that the cadre review will engage the Department of Expenditure, Ministry of Finance as also the Ministry of Home Affairs and only after receiving the final approval from the Home Minister, shall it be given effect to. He states that as of now, he does not have instructions to specify a timeline within which the remaining three stages i.e. stages No.6 to 8, out of the 8 stages mentioned in

para 1 of the affidavit shall conclude but he assures the court that entire process will be expedited.

5. Learned counsel for the petitioner states that the petitioners shall be satisfied if the decision on cadre review is expedited and given effect to at the earliest as the petitioners have been suffering for a long time.

6. Having regard to the submission made by the learned counsel for the respondents, we deem it appropriate to grant them a period of four months reckoned from today for completing the cadre review in respect of the cadre of Stenographers and implement the same.

7. In the event the respondents find any difficulty in completing the cadre review within the timeline stipulated above, then they shall approach this Court at least one month before the expiry of four months for seeking extension of time with valid reasons.

8. If the petitioners are aggrieved by the cadre review of the stenography cadre finalised by the respondents and given effect to, they shall be entitled to seek legal recourse.

9. The present petition is disposed of alongwith the pending application.

HIMA KOHLI, J

PRATIBHA RANI, J

APRIL 12, 2018

na/rkb

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