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

+ W.P.(C) 566/2018

VINAY KUMAR TIWARI AND ORS.

..... Petitioners

Through: Ms.Padma Kumar S, Advocate

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms.Biji Rajesh & Ms.Eshita Baruah,
Advocates with Mr.Amit Kumar, Dy.
Commandant, SSB

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **22.01.2018**

1. The limited grievance raised by 32 petitioners in the present petition is that the respondents/SSB are not fixing their seniority on the post of Asst. Sub-Inspector (Telecommunication) in terms of the law laid down by the Supreme Court in *Union of India & Ors. vs. N.R. Parmar & Ors.* [2013 (1) SLR 435 (S.C.).]

2. Learned counsel for the petitioners submits that petitioner No.1 has

made several representations to the DG, SSB for correction of his seniority, including representations dated 19.05.2016, 20.05.2016 and 28.07.2016 but they have not responded to any one of them. He states that such representations were made in view of the provisional seniority list drawn by the respondents/SSB on 20.11.2016, and the same remains tentative as the said seniority list has not been finalised so far.

3. Learned counsel for the respondents, who appears on advance notice, confirms on instructions, that the seniority list in respect of the posts of Assistant Sub-Inspector (Telecommunication) has not been finalised. In so far as the representations of the petitioner No.1, referred to in the present petition are concerned, he submits that none of them have been received by the competent authority.

4. Without going into the aforesaid controversy, having regard to the fact that the representations made by the petitioner No.1, have been filed along with the present petition (Annexure P-4 & P-5), it is deemed appropriate to dispose of the present petition at the stage of admission itself by issuing directions to the respondents/SSB to consider the said representations before finalising the provisional seniority list in respect of the post of ASI (Telecommunication) and communicate the decision taken to the petitioner No.1, within eight weeks from today.

5. After the seniority list is finalised by the respondents/SSB, if the

grievance of the petitioners still survives, they shall be entitled to seek legal recourse, in accordance with law.

HIMA KOHLI, J.

REKHA PALLI, J.

JANUARY 22, 2018/‘pg’