

\$~49

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

+ W.P.(C) 8713/2021

VIRENDER SINGH YADAV

..... Petitioner

Through: Mr. AK Trivedi, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Mr. PS Singh, Advocate and
Mr. JK Tripathi, Advocate for UOI.

%

Date of Decision: 23rd August, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

J U D G M E N T

MANMOHAN, J: (Oral)

1. The petition has been heard by way of video conferencing.
2. Present writ petition has been filed challenging the action of the Respondent of not considering the Petitioner for third out of turn promotion against sports quota even when the Petitioner has been granted only two out of turn promotion during his service. Petitioner also seeks direction to the Respondent to consider and pass an order granting third out of turn promotion against sports quota in terms of DOP&T Policy dated 26th July, 2012 to the rank of Deputy Commandant (DC) w.e.f 24th July, 2014 and grant all consequential benefits.

3. Learned counsel for the petitioner refers to page no.32 of the paper book to contend that even the Assistant Commandant Central Records Office has admitted that the petitioner has till date been granted only two out of turn promotions, which also is factually incorrect as the petitioner had been promoted to the rank of Inspector in regular course. He further states that the petitioner had been pursuing his case for grant of third out of turn promotion and the petitioner was being assured that his case is being examined by the office of Director General ITBP, but as no response had been received, the petitioner submitted a detailed representation dated 24th November 2020 followed by a legal notice dated 30th March, 2021 which are still pending.

4. Keeping in view the pendency of the aforesaid representation and legal notice, this Court disposes of the present writ petition with a direction to the Director General ITBP to decide the said representation and legal notice by way of a reasoned order in accordance with law, within eight weeks. With the aforesaid directions, the present writ petition stands disposed of.

5. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

NAVIN CHAWLA, J

AUGUST 23, 2021
AS