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

Date of Decision: 21.10.2021

+ **W.P.(C) 11704/2021**

KASHIF FAHIM & ORS.

..... Petitioners

Through: Mr.Sudhir Nandrajog, Sr. Adv.
Ms.Saahila Lamba, Adv.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Dev P Bhardwaj, CGSC for
UOI with Ms.Anubha
Bhardwaj, Adv.
Mr. Abhishek Khanna, GP.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

MANMOHAN, J. (Oral)

1. Present writ petition has been filed challenging the orders dated 25th February, 2011 and 05th October, 2016 issued by the respondents to the extent it has created posts of Assistant Commandant and Deputy Commandant, respectively, in Ministerial Cadre. Petitioner also challenges the Central Reserve Police Force Assistant Commandant (Ministerial) Group A Post Recruitment Rules, 2011 and the Central Reserve Police Force Deputy Commandant (Ministerial) and Assistant Commandant (Ministerial) Recruitment Rules, 2017. Petitioner also seeks a direction to the respondents to divert said illegally created posts in Ministerial cadre to the Executive Cadre of Central Reserve Police Force.

2. A perusal of the paper book reveals that though the petitioner no. 1 had preferred a detailed representation dated 24th May, 2020 to the Director General CRPF on the afore-noted aspect, yet the same has not been decided till date. Consequently, this Court disposes of the present Writ Petition by directing Director General, CRPF to decide the petitioner's no. 1 representation dated 24th May, 2020 by way of a reasoned order, in accordance with law, within twelve weeks. At the request of learned senior counsel for the petitioners, petitioner is given an opportunity to file additional grounds in support of the representation within two weeks with the Director General, CRPF.

3. However, this Court clarifies that it has not commented on the merits of the controversy. The rights and contentions of all the parties, including plea of laches are left open.

MANMOHAN, J

NAVIN CHAWLA, J

OCTOBER 21, 2021/rv