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

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Date of decision: March 22, 2022

+ W.P.(C) 4581/2022 & CM APPL. 13743/2022

MAJ ABHINAV NILESH IC-71590N Petitioner

Through: Mr. Ajit Kakkar, Advocate

Versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Vineet Dhanda, CGSC &
Mr. Pulkit Sharma, Advocate with
Colonel S Prabhu & major Partho
Katyayan

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN

JUDGMENT (oral)

1. Petitioner is aggrieved of letter dated 27.01.2022 issued by the respondents vide which his request for consideration of his name as a part of UN mission has been rejected. By this petition, a direction is sought to the respondents to consider petitioner's name for deployment to the UN mission.

2. Learned counsel for petitioner has submitted that petitioner was commissioned in the prestigious 13 RAJ RIF on 13.06.2009 and completed nine years of service. After completing his B.Tech in the year 2010, petitioner again joined 13 RAJ RIF at Udaipur and served for 10 months. It is submitted that petitioner has served at various places from 04.08.2010 till

W.P.(C) 4581/2022

Page 1 of 3



date. Petitioner was enlisted to a new raising panel of 25 RAJ RIF w.e.f. 28.09.2018 and for his hard work and professional competence; respondents assigned him to new tasks in the raising unit. It is next submitted that RAJ RIF was nominated for the prestigious UN Mission in September, 2020 based upon its performance in last four tenures, wherein petitioner had contributed to the best of his abilities.

3. To make a request for consideration of his name for the UN Mission, petitioner vide DO letter dated 14.01.2022 sought an interaction/ interview with respondent No.4. Petitioner vide letter dated 23.01.2022 also sought an interaction with the MS in this regard. However, according to petitioner, his request was turned down by the respondents vide communication dated 27.01.2022 overlooking his meritorious service records.

4. Learned counsel for petitioner has submitted that petitioner's name for being part of the UN mission is extremely important and crucial for his career progression, which shall enhance his prospects for promotion and consequential benefits and ignorance of his name by the respondents shall take away this golden opportunity. Thus, a direction is sought to the respondents to consider petitioner's name for the UN Mission.

5. Notice issued.

6. Mr. Vineet Dhanda, learned Central Government Standing Counsel, appearing on behalf of respondents, accepts notice and submits that after due examination of the case of petitioner, his request has been declined by the competent authority.

7. Upon hearing both the sides and without going into the controversy of contents of letter dated 27.01.2022 issued by the competent authority, the present petition is disposed of with direction to the respondents to consider



afresh petitioner's applications dated 14.01.2022 and 23.01.2022 and pass a speaking order within four weeks, after affording an opportunity of personal hearing to the petitioner. The fate of his applications be communicated to the petitioner within one week thereafter. It is expected that the competent authority shall consider the case of petitioner within the parameters laid down for selection of similarly situated personnel for the UN mission.

8. With directions as aforesaid, the present petition is disposed of. Pending application is disposed of as infructuous.



(SURESH KUMAR KAIT)
JUDGE

(SUDHIR KUMAR JAIN)
JUDGE

MARCH 22, 2022

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