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

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Date of decision: November 18, 2022

+ W.P.(C) 14092/2021 & CM APPL. 44470/2021(stay)
PRAMOD KUMAR SINGH & ORS. Petitioners
Through: Ms. Saahila Lamba, Advocate

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Ripu Daman Bhardwaj, CGSC
with Mr. Kushagra Kumar, Advocate
and Mr. Sourabh Bhushan, A/C Legal,
RAF
Mr. Pratap Shanker, Mr. S. Shantanu
and Ms. Poorvi Sinha, Advocates for
R-6-9, 16, 18, 21, 23, 33, 40, 41, 44,
46, 51, 54, 57 & 60
Mr. Ankur Chhibber, Advocate for R-
11, 17, 20, 24, 26, 27, 29-32, 34-39, 42,
45, 47-50, 52, 53, 55, 59 & 61

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

JUDGMENT (oral)

1. Learned counsel for the petitioners has drawn our attention to para 4 and 5 of the counter-affidavit filed by respondent nos.1, 2 and 3 which states as under:

4. It is submitted that in order to fill up 50 vacancies against promotion quota, a supplementary DPC was convened on 20/10/2010 which had zone of consideration as 78. SM/Inspectors posted in CRPF, except 13 SM/Inspectors who had not completed 3 years service as Inspector as on crucial date as stated in para 3 above i.e. on 01/01/2010. However, on the strength of relaxation accorded by MHA, 147 SM/Inspectors became eligible to be considered for promotion as Assistant Commandant. Among the first 50

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SM/Inspectors who had been empanelled for promotion, 13 were away of deputation to NSG/ SPG. Therefore DPC kept equal number M/Inspectors in the extended panel. The promotion of the officers on d panel were with a rider that they will be released on promotion case the personnel away on deputation do not report back and prefer to avail proforma promotion under NBR till completion of deputation period as allowed by Para 8.6 of DoPT Order dated 17/06/2010.

5. *It is further submitted that Amongst the 53 petitioners, 18 petitioners as mentioned below who are senior in Gradation List, were initially considered for promotion to the rank of Assistant Commandant in the supplementary DPC convened on 20/10/2010 for the vacancy year 2010-2011.*

<i>Sl No.</i>	<i>Petitioner No. in W.P</i>	<i>Name of Petitioner</i>	<i>Remarks</i>
<i>1</i>	<i>9</i>	<i>Rajesh Kumar</i>	<i>--</i>
<i>2</i>	<i>30</i>	<i>B S Rawat</i>	<i>--</i>
<i>3</i>	<i>1</i>	<i>Ramesh Kumar Tripathi</i>	<i>--</i>
<i>4</i>	<i>13</i>	<i>Sanjeet Kumar</i>	<i>Deputation with SPG</i>
<i>5</i>	<i>7</i>	<i>Manish Sinha</i>	<i>Deputation with SPG</i>
<i>6</i>	<i>21</i>	<i>P Neel Kanta Singh</i>	<i>Deputation with SPG</i>
<i>7</i>	<i>33</i>	<i>Sunil Kumar</i>	<i>--</i>
<i>8</i>	<i>45</i>	<i>Mahesh Phadtare</i>	<i>--</i>
<i>9</i>	<i>47</i>	<i>Amit Singh</i>	<i>Deputation with SPG</i>
<i>10</i>	<i>22</i>	<i>Ashish Raj</i>	<i>--</i>
<i>11</i>	<i>35</i>	<i>Mohit Tyagi</i>	<i>Deputation with SPG</i>

12	28	<i>Yakub Khan</i>	<i>Deputation with SPG</i>
13	50	<i>Hemant Bhatt</i>	<i>Deputation with SPG</i>
14	37	<i>Hari Shankar Sharma</i>	<i>Deputation with SPG</i>
15	2	<i>Alex George</i>	--
16	14	<i>Kamal Singh</i>	<i>Deputation with NSG</i>
17	41	<i>Anup Kumar Srivastava</i>	--
18	53	<i>Anup Kumar Tiwari</i>	--

2. In view of the above, learned counsel for the petitioners submits that the present petition may be disposed of, directing the said respondents to take a final decision qua the petitioners.

3. Accordingly, the present writ petition alongwith the pending application is disposed of with a direction to the respondents to arrive at a final decision qua the petitioners within a period of eight weeks from today as per due process of law.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

NOVEMBER 18, 2022/akr