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

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Date of decision: 04.11.2022

+ W.P.(C) 15261/2022

RINA GHOSH AND ORS

..... Petitioners

Through: Mr.Ankur Chhibber, Adv.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Harish Vaidyanathan Shankar,
CGSC with Mr.Jitendra Kumar
Tripathi (GP), Mr.Srish Kumar
Mishra, Mr.Sagar Mehlawat &
Mr.Alexander Mathai Paikaday,
Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

CM APPL.47278/2022 (exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

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3. Present petition has been filed seeking directions to the respondents to grant the benefit of para 63 of the judgment dated 24.05.2013 in ***W.P.(C) 8744/2011*** titled as ***Bilju A.T. vs. UOI & Ors.*** whereby it has been directed to extend the benefit of notional seniority to all such mahila personnel who were not the petitioners therein so as to bring them at par with their male counterparts and by keeping the same in mind re-assign the seniority of the

petitioners in the rank of Inspector and Assistant Commandant from the date, their juniors have been promoted.

4. The prayers in the present petition are required to be allowed in terms of the decision dated 11.03.2019 of this Court in ***W.P.(C) 6094/2018 (Kalawati Thakur & Ors. vs. Union of India & Anr.)*** against which the respondents have decided not to file a Special Leave Petition as others similarly situated like the petitioners herein have already been granted similar reliefs.

5. Accordingly, the present writ petition is allowed with a direction to the respondents to promote the petitioners to the rank of Inspector and Assistant Commandants and Deputy Commandants respectively from the date as their immediate juniors had been granted such promotion, as shown in the revised promotion list by the respondents, in compliance with the judgment dated 16.10.2014 of the Supreme Court in ***CA Nos.9840-41/2014 (Union of India & Ors. vs. Bilju A.T. & Ors.)*** with all consequential benefits. The necessary orders be issued within 12 weeks from today.

6. Needless to say, the petitioners will be granted relief by the respondents only if the petitioners are otherwise eligible.

7. The writ petition stands disposed of in the aforesaid terms.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

NOVEMBER 04, 2022/ab

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