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

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Date of decision: 24.04.2023

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W.P.(C) 5138/2023

VIKRAM PRATAP SINGH

..... Petitioner

Through: Mr.Ankit Yadav & Ms.Prakriti
Rastogi, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr.Tushar Sannu, SC for IHBAS
with Mr.Devvrat Tiwari, Adv.
Ms.Sarika Singh, SPC with
Ms.Avshreya Pratap Singh Rudy,
Advs.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Vide the present petition, petitioner prays as under:

- i. *To quash the order dated 12.10.2012, wherein the representation of the Petitioner for refixation of his seniority at par with DAGOs 43rd Batch instead of 44th Batch was rejected;*
- ii. *To quash the representation dated 31.10.2012 whereby the Respondent No.2 has refused to grant inter-se seniority to the Petitioner at par with Batch No.43;*
- iii. *To quash the order dated 26.11.2012 whereby, the Petitioner's representation to consider his seniority at par with Batch No. 43 was rejected;*

iv. *To fix the seniority of the petitioner at par with his batchmates of the 43rd batch instead of Batch No.44;*

2. Notice issued.

3. Mr.Tushar Sharma, learned Standing Counsel accepts notice on behalf of the respondents.

4. Learned counsel for the petitioner submits that case of the petitioner is fully covered by judgment dated 16.12.2019 in the case of ***S.R. Arun Kumar vs. Union of India & Ors.*** in W.P.(C) 10303/2018.

5. He further submits that petitioner made representation dated 04.08.2021 and the same was replied vide order dated 31.10.2022, however, there is no mention of ***S.R. Arun Kumar (Supra)***.

6. Accordingly, we hereby dispose of the present petition by directing the respondents to reconsider the representation dated 04.08.2021 made by the petitioner in view of judgment dated 16.12.2019 passed in W.P.(C) 10303/2018 within four weeks from today and communicate the decision thereof to the petitioner within one week thereafter with reasoned order.

7. With the aforesaid directions, the present petition is disposed of.

8. Needless to say, if the petitioner feels aggrieved by the decision of the respondents on his representations, he may approach the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

APRIL 24, 2023/ab

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