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* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 11th April, 2023

+ W.P.(C) 3252/2019

BIRENDRA KUMAR PASWAN & ORS. Petitioner

Through: Mr. Ankur Chhibber, Advocate.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Jivesh Tiwari, Sr Panel Counsel
along with Mr. Jitendra Kumar
Tripathi GP and Ms. Samiksha,
Advocate along with Inspector Sanjay
Kumar, CISF

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

JUDGMENT (oral)

1. The petitioner has filed the present Writ Petition under Article 226 of the Constitution of India seeking following reliefs:

“i. To issue writ of Certiorari to set aside the issuance of provisional inter-se seniority list of head Constable/Clerk dated 24.11.2015; AND

ii. To issue a writ/order/direction to set aside the order dated 27.01.2016 whereby the respondents turned down the representation of the petitioners; AND

iii. Issue a writ/order/direction in nature of Certiorari to quash/ set aside the letter/order dated 22.10.2018 issued by the respondents. AND

iv. To issue a writ/order/direction in the nature of Mandamus against the Respondents to restore the correct seniority of the petitioners in terms of the OM issued by the

DOPT; AND

v. To further pass any such order(s)/direction(s) as this Hon'ble Court may deems fit and proper in the interest of justice."

2. In view of the additional affidavit filed on behalf of respondent No.1 to 3, pursuant to the directions passed by this Court, the prayer of the petitioner is satisfied to the extent of revision of seniority.
3. Learned counsel appearing on behalf of the petitioner submits that the respondents have to conduct review DPC and consequential benefits to be given to the petitioner accordingly.
4. Learned counsel appearing on behalf of the respondents on instructions submits that review DPC shall be conducted within two months and accordingly consequential benefits will be given to the petitioner, if they are otherwise found eligible.
5. The petition is accordingly disposed of .
6. The application, if any, also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

APRIL 11, 2023/va