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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of decision: 19.10.2023***+ **W.P.(C) 9448/2021 & CM APPL. 29333/2021, 9157/2022,
19940/2022 & 13256/2023****SH. A.K. BUDDHIST**

..... Petitioner

Through: Mr.Ashok Kumar Sharma, Sr. Adv.
with Mr.Kshitij Mudgal & Ms.Anshul
Rajora, Advs.

versus

UNION OF INDIA

..... Respondent

Through: Mr.Rajesh Gogna, CGSC with
Ms.Pooja & Ms.Priya Singh, Advs.
for UOI.
Mr.Ravinder Agarwal & Mr.Lekh Raj
Singh, Advs. for Respondent No.3.
Mr.M.K. Bhardwaj with Ms.Priyanka
M. Bhardwaj, Mr.Arun Prakash,
Ms.Maria M.K. & Mr.Tarun, Advs.
for Respondent No.11.**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. Present petition has been filed seeking quashing of the impugned order and judgment dated 19.07.2021 passed by the Central Administrative Tribunal, New Delhi in O.A. No.2768/2021.
2. Learned Central Government Standing Counsel appearing for Union of India supports the case of the petitioner and learned counsel for private respondents submits that they are retiring by 31.10.2023 and if the petitioners are given ad-hoc promotion that will suffice the issue raised in the present petition and it will not affect the private respondents in any way



and after making ad-hoc promotion, the regular promotion can be effected as per rules.

3. Learned counsel appearing for the petitioner submits that let respondent no.1 issue ad-hoc promotion qua petitioners and places the same on record.

4. Learned CGSC for UOI has pointed out that for the same relief which sought the petitioners herein, he has already moved an application being CM APPL. 9157/2022 for permitting the respondents to conduct ad-hoc promotions of junior wireless officers to the grade of Engineer subject to the final outcome of the present petition. Accordingly, respondent no.1 may be permitted to issue ad-hoc promotions to the petitioners.

5. However, it is admitted fact of the Union of India that regular vacancies are there and therefore, respondent no.1 is directed to issue regular promotions to the petitioners as well as to private respondents if they are otherwise eligible as per rules. Order to this effect shall be issued within one week from today.

6. In view of above directions, impugned order and judgment dated 19.07.2021 passed by the Central Administrative Tribunal, New Delhi in O.A. No.2768/2021 is hereby set aside.

7. Petition is, accordingly, disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

OCTOBER 19, 2023/ab