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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 02.11.2023

+ W.P.(C) 14303/2023 & CM APPL. 56666/2023

SUDHANSHU KUMAR (ACIO II EXECUTIVE)
& ORS.

..... Petitioners

versus

UNION OF INDIA & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Abhay Kumar Bhargava, Advocate

For the Respondents: Mr. Balendu Shekhar, CGSC with Ms. Archana Mishra, G.P., Ms. Krishna Chaitanya and Mr. Raj Kumar Maurya, Advocates for respondents/UOI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE DHARMESH SHARMA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn memorandums dated 11.07.2023 and 25.09.2023 as well as the Recruitment Rules dated 29.09.2023 and memorandum dated 19.10.2023 whereby the respondents amended the existing Recruitment Rules of 2017 and diverted the 15% posts in the rank of Deputy Central Intelligence Officer Executive from direct recruit to filling up by Limited Departmental Competitive Examination while maintaining the 80% seats reserved for promotion



and 5% by deputation and absorption.

2. At the outset, the learned counsel for the respondents raised a preliminary objection with regard to maintainability of the present petition before this Forum and contended that the petitioners should approach the Central Administrative Tribunal.

3. Learned counsel for the petitioners insisted on the maintainability of the petition and contended that they have right to approach this Court since they are impugning the Recruitment Rules.

4. After detailed arguments were heard on merits and when this Court was inclined to dismiss this petition on merits, learned counsel for the petitioners seeks leave to withdraw this petition.

5. The petition is accordingly dismissed as withdrawn.

SANJEEV SACHDEVA, J

DHARMESH SHARMA, J

OCTOBER 31, 2023
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