



\$~3

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

%

Judgment delivered on: 24.11.2023

+

W.P.(C) 14790/2023

ABDUL RASHID SHEIKH & ANR

..... Petitioners

versus

UNION OF INDIA & ANR.

..... Respondents

Advocates who appeared in this case:

For the Petitioners: Mr. Manoj V. George with Ms. Shilpa Liza George and Mr. Vignesh Ram, Advocates

For the Respondents: Mr. Sandeep Kumar Mahapatra, CGSC with Mr. Tribhuvan and Mr. M. Theepa, G.P.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MS. JUSTICE TARA VITASTA GANJU

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks a direction to the Competent Authority i.e. Directorate General, Indo Tibetan Police Force to consider his recommendation for creation of post of Assistant Commandant (Office) in the Battalion level to the Ministerial Cadre at par with other cadres and Central Armed Police Force.

2. Learned Counsel for the Petitioner submits that Petitioner No.1 is a Member of the Sub Committee for review of Ministerial Cadre and had given certain suggestions to the Sub Committee, annexed as

Annexure P-3 to this Petition, which were not approved by the majority of the Members of the Sub Committee and as such the suggestions were not forwarded to the Competent Authority.

3. Learned Counsel submits that the Petitioner merely wants that his recommendations be also placed before the Competent Authority at the time when Competent Authority is taking a view on the suggestion for creation of the above referred posts.

4. Learned Counsel for the Respondent submits that cadre review takes place in terms of the directions issued by the Department of Personnel Training and also takes into account the recommendations of the Sub Committee.

5. Keeping in view the facts and circumstances, we direct the Competent Authority to also consider the suggestions given by the Petitioner at the time of considering the suggestions of the Sub Committee on the cadre review.

6. It is clarified that this Court has neither considered nor commented on the merits of the suggestions made by the Petitioner and it would be open to the Competent Authority to take a decision in respect of the cadre review independent of anything stated in this order.

7. Petition is disposed of in above terms.

SANJEEV SACHDEVA, J

TARA VITASTA GANJU, J

NOVEMBER 24, 2023/yg