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

+ **W.P.(C) 1037/2023**

RAJESH ADHIKARI AND ORS

.....Petitioners

Through: Mr. Jopy P. Varghese, Advocate.

versus

SASHASTRA SEEMA BAL AND ANR

.....Respondents

Through: Mr. Mukul Singh, CGSC with Ms. Ira Singh, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

21.08.2024

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1. The petitioners, who are working as Assistant Sub-Inspector (ASI) (Ministerial) with the Sashastra Seema Bal (SSB), have approached this Court under Article 226 of the Constitution of India seeking the following reliefs:

- i. *Call for the Records of the Case;*
- ii. *Issue a Writ of Certiorari or any other like writ, order or direction in the nature thereof quashing the seniority list dated 01.08.2022 in respect of Assistant Sub Inspector (Ministerial) issued by Respondent No.1;*
- iii. *Issue a Writ of Mandamus directing Respondent No.1 to refix the seniority list of ASI (Ministerial) in accordance with reservation roster and to fill up backlog vacancies for SC&ST in the post of Sub-Inspector (Ministerial) in accordance with the Reservation Rules;*
- iv. *Issue a Writ of Mandamus directing Respondent No.1 to pass appropriate orders for the promotion of Petitioners*



against the backlog vacancies for Sub-Inspector (Ministerial) as per present Recruitment Rules and other applicable DoP&T circulars and guidelines.

2. Learned counsel for the petitioners submits that though he does not press his prayer for assailing the seniority list dated 01.08.2022, the respondent no.1 be directed to expeditiously fill up all the available vacancies of Sub-Inspector (Ministerial) by applying the reservation roster as per the DoP&T instructions.
3. Learned counsel for the respondents submits that though the respondents were earlier not filling up vacancies of SI (Ministerial) under the promotional quota due to the ongoing litigation in respect of the LDCE quota before the Apex Court, steps are now being taken to fill up the posts under the promotional quota. The petitioners will accordingly be considered as per their turn against the presently available vacancies of the SI (Ministerial) under the SC/ST category.
4. In the light of this stand taken by the respondents, we dispose of the writ petition by directing the respondents to complete the process for filling up the available vacancies for the post of SI (Ministerial) under the promotional quota by ensuring that the petitioners are as per their seniority considered against the available posts in the SC/ST category as per the prescribed reservation roster in terms of the DoP&T's guidelines.

REKHA PALLI, J

SHALINDER KAUR, J

AUGUST 21, 2024/ab