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

+ **W.P.(C) 1668/2024**

DEEPAK & ORS.

..... Petitioner

Through: Mr. Sudhir Naagar, Mr. Piyush
Aggarwal and Mr. Arun Kumar
Nagar, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ravi Prakash CGSC with Mr.
Taha Yasin, Ms. Astu Khandelwal
and Mr. Yasharth Shukla, Advocates
for R-1 to 3.
Mr. Arun Bhardwaj, Sr. Advocate
with Ms. Sriparna Chatterjee,
Advocates for R -4 -18.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

15.02.2024

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CM APPL. 6846/2024 (Ex)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 1668/2024 & CM APPL. 6845/2024 (Stay)

3. The present writ petition under Article 226 of the Constitution of India seeks to assail the order dated 15.01.2024 passed by the learned Tribunal in C.P. No. 34/2024. Vide the impugned order, the learned Tribunal has come to a *prima facie* conclusion that the promotion order dated 12.01.2024, vide which the petitioner and some other similarly situated officers have been promoted was passed in



breach of this Court's order dated 03.07.2023 in W. P. (C) 8420/2023.

4. Learned senior counsel for the respondent nos. 4 to 18, at whose behest the aforesaid contempt petition was filed, submits that these respondents are not aggrieved by the promotion order in so far as it pertains to the petitioners and other similarly placed officers in the seniority list up to serial no. 1000 as they are admittedly much senior to the respondents and belong to batches from 2011-13.

5. In the light of this stand taken by the respondent nos. 4 to 18, the grievance of the petitioners stands satisfied and, therefore, we dispose of the writ petition by clarifying that in the event, the learned Tribunal comes to a conclusion that the promotion order dated 12.01.2024 has been issued in breach of the Court's order dated 03.07.2023, the Tribunal will ensure that the order in so far as it promotes employees up to serial no. 1000, is not disturbed.

6. It is, however, made clear that this order will not be construed as this Court having expressed any opinion regarding the effect of order dated 03.07.2023 passed in W.P. (C) 8420/2023.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 15, 2024

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