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

+ **W.P.(C) 5832/2022**

VIVEK KUMAR SINGH & ANR.Petitioners

Through: Appearance not given.

versus

UNION OF INDIA & ORS.Respondents

Through: Ms. Garima Sachdeva, SPC
with Ms. Divyanshi Maurya,
Adv. with AC/Exe. B.S. Rawat,
SI/Exe. Ramesh Kumar, SI
Sushil Khuswaha and SI
Pralhad, CISF(R).

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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09.01.2025

CM APPL. 68269/2024 & CM APPL. 68270/2024

1. This petition was disposed of by this Court *vide* Judgment dated 30.05.2024, with the following directions:

“99. In these circumstances, we are of the view that the Ministry of Home Affairs must look into the aforesaid aspects and then take a call whether such a stipulation needs to be continued / adhered to insofar as the LDCE quota is concerned. It must consider issuing guidelines, in what manner the stipulation needs to be given effect to, otherwise, it would be too harsh on a personnel to be denied promotion under the LDCE quota, which is an accelerated promotion to the next higher post, especially when under the 33% promotion quota, the chance of a personnel getting promotion is highly unlikely because of stagnation.

100. So we allow the writ petition being W.P. (C) 6287/2022 and dispose both the petitions including W.P.(C) 5832/2022, calling upon the Ministry of Home Affairs to undertake the exercise as stated by



us in paragraph 99 above by either issuing guidelines / clarification for proper implementation of the Recruitment Rules which stipulates 'clean record' and thereafter implement the same. In the eventuality, the case of the petitioner(s) in W.P.(C) 5832/2022, is covered by the guidelines and clarification, then the sealed cover where the result of one candidate has been kept shall be opened and the result of the examination be declared and the above action be taken within 12 weeks. No costs."

2. Pursuant thereto, the respondent no. 1 passed an Order dated 19.12.2024, holding the petitioner no. 1, Vivek Kumar Singh, eligible for the examination.

3. The learned counsel for the respondents has today handed over a copy of the Order dated 07.01.2025 passed by the Union Public Service Commission ('UPSC'), which reads as under:

"COURT CASE
MOST IMMEDIATE
BY HAND

*F. No. 1/22 (4)/2023/E-XXIII
Union Public Service Commission
Dholpur House, Shahjahan Road
New Delhi-110069*

Dated: 07.01.2025

To,

*The Director General,
Central Industrial Security Force,
Block No. 13, CGO Complex,
Lodhi Road, New Delhi-110003.*

[Kind Attn: Shri Dharamveer Yadav, AIG (Pers.)]

***Subject: Implementation of judgment order passed by the
Hon'ble High Court of Delhi in the matter of WP (C) No.
5832/2022 - Vivek Kumar Singh Vs. Uol & Ors. - Reg.***

Sir,

I am directed to refer to your letter no. E-32015/(4)/1/Pers. 1/AC-LDCE- 2023/CC-VKS/1516 dated 19.12.2024 on the subject mentioned above. In this regard, it is stated that the status of candidate Shri Vivek Kumar



Singh (Roll NO. 0800971) in respect of Written result of Central Industrial Security Force AC (Exe) LDCE, 2023 is as under:-

<i>Name</i>	<i>Roll No.</i>	<i>Status of Candidate in Written Result</i>
<i>Sh. Vivek kumar Singh</i>	<i>0800971</i>	<i>Qualified</i>

2. As per the Rules of the Examination notified by MHA, the final selection of the candidates will be subject to the final outcome of the WP(C) No. 5877/2022 filed by Diwakar Pande & Ors. Vs. MHA & Ors. in the High Court of Delhi.

Furthermore, CISF may please verify Roll Number, Name, Community, Date of Birth and any other relevant details as may be deemed fit, of the above candidate before taking any further necessary action.

Yours faithfully.

-Sd-

(Mukul Kumar Gupta)

(Under Secretary)/CISF

Union Public Service Commission"

4. In view of the above, further action/steps for the purpose of recruitment of the petitioner no. 1, Vivek Kumar Singh, to the post of Assistant Commandant be taken by the respondents, in accordance with law. The process be completed along with the Batch of 2025.

5. The applications are disposed of recording the above.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 9, 2025/sds/B/SJ

Click here to check corrigendum, if any