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

+ **W.P.(C) 5561/2024**

MOOL CHAND VERMA

..... Petitioner

Through: Mr. Abhay Kumar Bhargava, Adv.
with Mr. S. Singha and Ms. Anushka,
Advts.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Amit Kumar, Sr. PC for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

23.04.2024

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1. This petition has been filed by the petitioner with the following prayers:

“In the light of above-mention facts and circumstances, this Hon'ble Court may graciously be pleased to:

(i) Issue a Writ of Certiorari or any other appropriate writ, order or direction thereby calling for records and quash the impugned order dated 20.02.2024 issued by the DIG RANGE RANCHI.

(ii) Issue a Writ of Mandamus or any other appropriate writ, order or direction thereby directing the DG CRPF to upgrade the ACRs of the petitioner for the period 24.06.2004 to 23.01.2005, 01.04.2005 to 31.03.2006 & 01.04.2006 to 31.03.2007.

(iii) Pass any other order this Hon'ble Court may deem fit.”

2. In effect, the petitioner is seeking upgradation of the ACR's for the



period June 24, 2004 to January 23, 2005, April 01, 2005 to March 31, 2006 & April 01, 2006 to March 31, 2007. According to the learned counsel for the petitioner, though the petitioner has been promoted to the post of Inspector in the year 2012, but the ACRs which were required to be communicated to the petitioner in view of the judgment of the Supreme Court in the case of *Dev Dutt v. Union of India & Ors., 2008 (8) SCC 725*, were communicated only in the year 2023 against which, he has made representation which has been rejected, as such the petitioner is entitled to the prayers as made in the writ petition.

3. On the other hand, Mr. Amit Kumar, learned Senior Panel Counsel appearing for the respondents would submit that the petitioner is seeking upgradation of ACRs which were recorded almost 20 years back, and cause of action, if any has arisen in the year 2008 when the batchmates of the petitioner were promoted to the rank of Inspector (GD). In other words, his submission is, the petitioner despite knowing the fact of promotion of his batchmates, did not agitate his grievance with regard to his non-promotion in the year 2008 or delayed promotion in the year 2012, based on the same ACRs.

4. We agree with the said submission of Mr. Amit Kumar more particularly when his batchmates have been promoted in the year 2008, and the petitioner himself having been promoted in the year 2012, which position has not been contested by the petitioner even in this petition. We are of the view that the petition is hit by delay and laches. Though, the case of the petitioner is that the ACRs having been communicated to the petitioner in the year 2023 only, against which the petitioner has given the representation which was rejected by the respondents vide impugned order



dated February 20, 2024, as such the petition is within time, we are not impressed by this stand for the reasons already stated. The writ petition is dismissed.

V. KAMESWAR RAO, J

RAJNISH BHATNAGAR, J

APRIL 23, 2024/aky