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

+ **W.P.(C) 5773/2024 & CM APPL. 23922/2024 and
CM APPL. 23923/2024**

SATYENDRA KUMAR SHUKLA

..... Petitioner

Through: Mr. Ankit Yadav, Mr. Tarun Mehra,
Ms. Prakriti Rastogi and Ms. Shaoni
Das, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms. Umang Chopra, Sr. Panel
Counsel with Mr. Karan Malhotra,
Govt. Pleader.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

25.04.2024

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CM APPL. 23923/2024

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5773/2024

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

“In the facts and circumstances of the case in context of the submissions made, it is most respectfully prayed that this Hon’ble Court may be pleased to:-

(A) Issue an appropriate writ/order/direction in the nature of Mandamus, or any other writ, for the promotion of the Petitioner



from the post of Constable/GD to Head Constable/GD from the date of immediate juniors were promoted to such higher post, along with grant of all consequential reliefs and allowances etc;

AND/OR

(B) Issue an appropriate writ/order/direction in the nature of Mandamus, or any other writ, for issuance of ACRs/APARs of the Petitioner from 2017 to 2022; AND/OR

(C) Pass any other order/direction(s) as this Hon'ble Court may deem appropriate in the facts and circumstances of this case."

2. In effect, the petitioner is seeking his promotion from the post of Constable (GD) to the post of Head Constable (GD) from the date his immediate juniors were promoted to the said post.
3. On a specific query to the learned counsel for the petitioner whether he has named the juniors who have been promoted overlooking him, he states that, he is not privy to such information.
4. It is his submission, that even though FIRs related to some trivial criminal cases have been registered against the petitioner and chargesheets thereof, have also been filed, the existence of the same cannot be a reason to withhold the promotion of the petitioner, more so, when his immediate juniors have been promoted. As such, the petitioner's case should have been put for recommendation before the DPC.
5. Even otherwise, according to him, the respondents had to comply with the instructions of the DoP&T for keeping the recommendation of the DPC in a sealed cover.
6. Ms. Umag Chopra, Learned Sr. Panel counsel for the respondents on instructions states, appropriate shall be for the petitioner to make a representation on the above to the respondents. She states that, if the representation is made within two weeks, the same shall be replied to within



eight weeks thereafter.

7. Taking the submissions of the learned counsel for the respondents on record, the petition is disposed of.

8. It goes without saying, if the petitioner has any grievance against the order to be passed by the respondents, liberty shall be with him to approach this Court in accordance with law.

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Dismissed as infructuous.

V. KAMESWAR RAO, J

AMIT BANSAL, J

APRIL 25, 2024/jg