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

+ **CONT.CAS(C) 626/2019**

NIRAJ KUMAR

.....Petitioner

Through: **Mr.Ankur Chhibber, Advocate.**

versus

RAJIV GAUBA & ORS

.....Respondent

Through: **Mr.Dev. P. Bhardwaj, CGSC
with Mr.Vishal Sharma,
MR.Ujjwal Chudhary and
Ms.Senjyoti, Advocates for
UoI.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

14.08.2024

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1. The petitioner is seeking initiation of contempt proceedings against the respondents for not complying with the directions contained in the judgment dated 20.02.2019 passed by this Court in WP(C) No.6506/2016.

2. A Compliance Report has already been filed on behalf of respondents No.1 to 6.

3. It would be relevant to reproduce the directions which were passed by this Court *vide* order dated 20.03.2019, which read as under:

“10. Accordingly, the impugned order dated 12th May 2016 issued by the Respondents rejecting the Petitioners representation is hereby set aside. A direction is issued to the Respondents to re-fix the seniority of the Petitioner from the date of his batch-mates of the 42nd batch who joined the CRPF as AGs. While the petitioner would not be entitled to any arrears of pay, for all other purposes including notional fixation of his pay and further seniority and



promotion, his seniority will be reckoned from the date when his batch-mates the 42nd batch joined as AGs.”

4. Learned counsel for the respondent has submitted that the petitioner has since been accorded seniority, which is to be reckoned from 15.05.2010 i.e., the date of appointment of his junior Pratap Kumar Behra, Assistant Commandant, IRLA-8461 of 42nd batch DAGOs.

5. The grievance of learned counsel for the petitioner is that the Departmental Promotion Committee [DPC] has already considered the case of Pratap Kumar Behra, AC who has since been promoted as Deputy Commandant, whereas the petitioner has not been considered.

6. Learned counsel for the respondent submits on instructions that the DPC has been constituted and the case of the petitioner for consideration of his promotion to the next rank i.e. Deputy Commandant, shall be considered in accordance with the law and in the background of decision of this Court.

7. Based on the aforesaid statement, the present petition is dismissed as withdrawn with liberty to the petitioner to approach the Court in case there is any non-compliance of the directions of this Court.

DHARMESH SHARMA, J.

AUGUST 14, 2024/VLD