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

+ **W.P.(C) 7903/2024 & CM APPL. 32643-44/2024**

SUNIL KUMAR

..... Petitioner

Through: Mr. Satwik Mishra, Mr. Devashree
and Ms. Gunjan Dogra, Advocates

versus

UNION OF INDIA & ORS

..... Respondent

Through: Mr. Subhash Tanwar, Mr. Ashisht
Choudhary, Mr. Tarveen Nanda and
Mr. Sandeep Mishra, Advocates for
R-1
Mr. Digvijay Rai and Mr. Archit
Mishra, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

28.05.2024

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(The proceeding has been conducted through Hybrid Mode)

1. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking *inter alia* the following reliefs:-

“(A) Issue a writ, order or direction in the nature of mandamus or any other appropriate Writ under Article 226/227 of the Constitution of India directing the Respondents to open the proceedings of the Departmental Promotion Committee kept in sealed cover and consider the case of the Petitioner for ad-hoc promotion to the posts of Manager (Engg.-Civil) with effect from 30.04.2015 and Sr. Manager (Engg.-Civil) with effect from 16.07.2022 when his immediate junior was promoted to the said posts along with all consequential benefits.”



2. At the outset on instructions, learned counsel for the petitioner submits that petitioner would be satisfied in case the present writ petition be treated as representation to the respondent no.2/AAI who may be directed to dispose of the same in accordance with law in a time bound manner.

3. Mr. Rai, learned counsel for the respondent no.2 submits that in case any such orders are passed, the Competent Authority would comply with such directions .

4. In view thereof, without going into the merits of this case, this Court deems it appropriate to direct the Competent Authority of respondent no.2/AAI to treat the present writ petition along with all annexures as representation on behalf of petitioner, *qua* the issue raised in the present writ petition. The Competent Authority is directed to dispose of the same in accordance with law within six weeks from today.

5. The petitioner shall be afforded an opportunity of hearing. The date, time and venue of the same shall be communicated to the petitioner well in advance. The petitioner is permitted to file any other document before the Competent Authority in support of his representation. A reasoned and speaking order be passed by the Competent Authority within time stipulated above.

6. In view of above, the present writ petition along with pending application is disposed of with no order as to costs.

TUSHAR RAO GEDELA, J

MAY 28, 2024/ms