



2024:DHC:8680-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 08.11.2024

+ W.P.(C) 17414/2022 & CM APPL. 61294/2024

MONALISA MOHANTYPetitioner

Through: Mr. Ajit Kakkar, Advocate.

Versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Vijay Joshi and Mr. Mohit Joshi, Advocates along with Mr. Ajay Pal Singh, DC Law.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

1. By the present petition, the petitioner has prayed for grant of benefit of the Judgment dated 24.05.2013 passed by this Court in W.P.(C) No.8744/2011 titled *Bilju A.T. vs. Union of India & Ors.*, whereby, this Court has directed the respondents to extend the benefits of the notional seniority to all such Mahila personnel who were not the petitioners therein, so as to bring them at par with their male counterparts and by keeping the same in mind, re-assign the seniority of the petitioner in the rank of Inspector from the date on which her immediate juniors had been promoted.

2. Learned counsel for the respondents, on instructions, submits that the seniority of the petitioner will be re-fixed, and a Special



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Screening Committee in this regard has been constituted which is likely to give its report within the next 3 weeks.

3. During the pendency of the present petition, the petitioner has also filed an application, being CM APPL.61294/2024, whereby, she prayed for a direction to the respondents to allow her to attend the Assistant Commandant Promotional Course (in short, 'ACPC') which was scheduled to be conducted with effect from 14.10.2024 to 01.01.2025.

4. The learned counsel for the respondents submits that as the course has already started, it would not be possible for the petitioner to be detailed in this course. However, he assures to this Court that the ACPC is regularly conducted, sometimes even 2-3 times in a year, and subject to the outcome of the recommendation of the Screening Committee, the petitioner will be detailed in the upcoming ACPC, protecting the seniority of the petitioner. The learned counsel for the respondents on instructions submits that even the course seniority of the petitioner shall be protected.

5. In view of the statement made by learned counsel for the respondents, nothing survives in the present petition. The same is accordingly disposed of along with the pending application, if any. However, in case the petitioner is not satisfied with the relief that is granted to her by the Screening Committee or there is a delay in her detailment to the next upcoming ACPC, it shall be open to the petitioner to revive this petition by filing an appropriate application.



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6. The petition, along with pending application(s) are disposed of in the above terms.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 8, 2024/mk/sk/VS

Click here to check corrigendum, if any