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

+ W.P.(C) 11418/2024

CHANDRA SEN SINGH

.....Petitioner

Through: Dr. S.S. Hooda and Ms. Rashmi
Rawat, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Siddhartha Shankar Ray, CGSC.

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+ W.P.(C) 11452/2024

MOHIT PUNDEER

.....Petitioner

Through: Dr. S.S. Hooda and Ms. Rashmi
Rawat, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Premtosh K. Mishra, CGSC with
Mr. Manish Vashist and Mr. Mani,
Advs. for R-1/UID with Mr.
Hemendra Kumar, DC, BSF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

05.09.2024

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1. On the last date, taking into account the petitioners' plea that the issue raised in the present case was squarely covered by this Court's decision dated 22.10.2018 W.P.(C)2466/2017 titled *Dr. O.P.Nimesh v. Union of India & Ors.*, time was granted to the learned counsel for the respondents to obtain instructions.



2. Today, despite not denying that the issue raised in the present petitions is squarely covered by the decision in *Dr. O.P.Nimesh* (supra), they still pray that the writ petitions be dismissed.

3. In the light of this stand taken by the respondents and the admitted position that this Court has in *Dr. O.P.Nimesh* (supra) held that a displeasure awarded to an employee can not in itself be a ground to hold him as ineligible for promotion, which decision has been followed in W.P.(C) 8027/2019 titled as *Arun Kumar vs. Union of India and Ors.*, we allow the writ petitions by directing the respondents to reconsider the case of the petitioners for grant of NFFU w.e.f. 01.01.2022 without treating the impugned displeasures awarded to them dated 26.08.2021 and 10.06.2021 as a bar for promotion.

4. Consequently, the impugned order dated 08.11.2023 will stand quashed to the extent it excluded the names of the petitioners. The exercise in terms of this order will be conducted within a period of 12 weeks. In case upon re-consideration, the petitioners are found eligible for grant of NFFU, all consequential benefits w.e.f. 01.01.2022 will be released to them within a period of six weeks thereafter.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 5, 2024
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