



\$~50

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

+ **W.P.(C) 12235/2024**

SUBODH JHA

.....Petitioner

Through: **Mr. Himanshu Gautam, Adv.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Ms. Rituy Reniwal, Mr. Jitendra
Kumar Tripathi and Mr. Mahendra
Kumawat, Advs.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

03.09.2024

%

1. The petitioner who is serving in the Border Security Force [BSF] as a Deputy Inspector General has approached this Court under Article 226 of the Constitution of India, seeking the following reliefs:-

“a) Issue a writ order or direction in the nature of certiorari thereby quashing and setting aside the impugned order dated 13.12.2013 and 02.07.2019

b) Issue a writ order or direction in the nature of certiorari thereby quashing and setting aside the seniority/ gradation list dated Nil to the extent that Petitioner has been placed below Respondent No 6 to 9.

c) Issue a writ order or direction in the nature of mandamus directing the Respondents to restore the seniority of Petitioner in the rank of Deputy Inspector General over and above Respondent No 6 to 9, in compliance of the Judgement dated 27.11.2018 in WPC 2571/2016 R.P. Sanwal Vs Union of India.

d) Issue any other suitable writ, order or direction which this Hon'ble court may deem fit and proper under the circumstances of the case in the interest of the Petitioner.”



2. After some arguments, learned counsel for the petitioner submits that since the petitioner's representation dated 13.10.2023 is pending, he would for the present, be satisfied, in case the respondents are directed to dispose of the same by passing a reasoned and speaking order in a time bound manner. He further submits that respondents be directed to take into account the effect of the decision of this Court in "***R.P. Sanwal vs. Union of India***" 2019 (173) DRJ 118 while deciding the petitioner's representation.

3. Learned counsel for the respondents who appears on advance notice, has no objection to this limited request.

4. In light of the aforesaid stand taken by the parties, the writ petition is disposed of by directing the respondents to decide the petitioner's representation dated 13.10.2023 within a period of eight weeks by passing a reasoned and speaking order after taking into account the decision of this Court in ***R.P. Sanwal*** (supra).

5. Needless to state, in case the petitioner is aggrieved by any order passed by the respondents, it will be open for him to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 3, 2024/ SU