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

+ **W.P.(C) 10867/2017**

MANOJ S AND ORS.

.....Petitioners

Through: **Ms. Saahila Lamba, Adv.**

Versus

UNION OF INDIA AND ORS.

.....Respondents

Through: **Mr. Vivek Goyal, CGSPC with Mr.
Gokul Sharma, Mr. Aryan Aggarwal
& Ms. Priyanka Singh, Advs.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

18.07.2024

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1. The petitioners, who were enrolled in the rank of Constable (Daftary) in the Border Security Force, have approached this Court under Article 226 of the Constitution of India seeking the following reliefs:

- a. Issue a writ of certiorari quashing order dated 12.04.2017 issued by respondents abolishing 243 existing posts of Constable (Daftary);*
- b. Issue a writ of mandamus directing the respondents to provide adequate promotional avenues for the personnel working in the rank of Constable (Daftary) in Border Security Force including the petitioners and thereby promote petitioners to higher ranks from a retrospective date.*

2. Learned counsel for the petitioners submits that in view of the additional affidavit dated 14.08.2023 filed by the respondents, the



petitioners instead of pressing the present petition any further, would file a fresh petition seeking retrospective promotion to the post of Head Constable (Ministerial).

3. In the light of this stand taken by the petitioners and the admitted position that all the petitioners now stand promoted to Head Constable (Ministerial), we dispose of the present petition as not pressed, making it clear that in case, the petitioners initiate fresh proceedings seeking retrospective promotion to the post of Head Constable (Ministerial), the same will be considered on its own merits.

4. The petition is, accordingly, disposed of in the aforesaid terms.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 18, 2024/ab