



2025:DHC:1763-DB



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

+ **W.P.(C) 15894/2023 & CM APPL. 63751/2024**

SHINOJ K.A. AND ORS.

.....Petitioners

Through: Mr. Ankur Chhibber and Mr.
Anshuman Mehrotra, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Shomendu Mukherjee, SPC
with Ms. Megha Sharma, Mr. Aniruddha
Ghosh, Advocates with Mr. Sourabh
Bhushan, Legal Officer, RAF

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER (ORAL)

18.03.2025

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C. HARI SHANKAR, J.

1. The prayer clause in this writ petition reads thus:

“In light of the facts and circumstances of the case, the Petitioner most humbly prays before this Hon’ble Court to kindly:

i. Issue a Writ of Certiorari for quashing of Combined seniority lists for Head Constable (ministerial) as on 01.01.2020, 01.01.2021 and 01.01.2023 to the extent that it places the direct recruitess of the year 2015 over and above the personnel promoted to the rank of Head Constable (Ministerial) vide LDCE-2015 in contravention of rule 8 (e) of CRPF Rules, 1955; and

ii. Issue a Writ of Mandamus directing the respondent to place the batch of LDCE, recruited in 2015 above the batch of direct recruitment in the year 2015 and accordingly issue a new seniority list; and

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iii. Pass any such orders as the Hon'ble Court may deem fit in the light of above mentioned facts and circumstances of the case.”

2. It is not in dispute that, during the pendency of this writ petition, the respondent has itself corrected the seniority position of the petitioner in the seniority list of Head Constable (Ministerial) and has issued a fresh seniority list pursuant to order dated 23 August 2024 issued by the Director General, CRPF.

3. With this, the prayers in the writ petition do not survive for consideration.

4. Mr. Chhibber submits that in the interregnum, the petitioners have been promoted to the post of ASI (Ministerial) and that the seniority list in the grade of ASI (Ministerial) would also have to be suitably corrected in accordance with the new seniority list in the Grade of Head Constable (Ministerial).

5. In as much as the prayers in the writ petition deal with the seniority in the Grade of Head Constable (Ministerial), we are not in a position to consider this prayer. Clearly, it constitutes an independent cause of action.

6. We, therefore, dispose of this writ petition as having been satisfied.

7. However, the petitioners would be at liberty to approach the respondent by way of the representation seeking revision of seniority list in the Grade of ASI (Ministerial) in accordance with the new seniority list issued in the Grade of Head Constable (Ministerial).

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8. If any such representation is made within a period of two weeks, the respondent would consider it in accordance with law and take a decision which would be communicated forthwith to the petitioner, after considering all stakeholders, in accordance with law.

9. Needless to say, should the petitioners continue to remain aggrieved, their rights in law shall stand reserved.

10. The petition is disposed of in the above terms with no order as to costs.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MARCH 18, 2025/yg

Click here to check corrigendum, if any