



2025:DHC:9928-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 17100/2025****K .VIVEK KUMAR**

.....Petitioner

Through: Mr. Rajat Arora, Mr. Niraj
Kumar and Mr. Sourabh Mahla, Advs.

versus

UNION OF INDIA AND ANR

.....Respondents

Through: Mr. Suhail Malik, SPC with
Mr. Vivek Nagar, GP and Mr. Shaunak
Dutta, Advs.**CORAM:****HON'BLE MR. JUSTICE C. HARI SHANKAR****HON'BLE MR. JUSTICE OM PRAKASH SHUKLA****ORDER (ORAL)**

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12.11.2025**C. HARI SHANKAR, J.**

1. The petitioner, who has been presently granted seniority w.e.f. 2018, seeks ante-dating of seniority w.e.f. 20 January 2014.
2. Persons who have been appointed between 2014 and 2018 who would be affected have not been made parties.
3. To our mind, a petition without impleading parties in such case would not lie. Those persons whose seniority, vis-à-vis the petitioner(s) would be affected, have to be made parties before the Court adjudicates on the *lis*, is settled by a wide swathe of authorities, including **State of Rajasthan v Uchhab Lal Chhanwal¹**, Vijay

¹ (2014) 1 SCC 144



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Kumar Kaul v Union of India², Indu Shekhar Singh v State of U.P.³, J.S. Yadav v State of U.P.⁴ and Padam Singh Jhina v Union of India⁵.

4. Accordingly, the writ petition is dismissed with liberty to the petitioner to reinstitute the petition after impleading necessary parties.

5. We direct the respondents to inform the petitioner, within a week from today, about persons who may have been promoted as Constable (GD) between 2014 and 2018 and who would be affected by the reliefs sought in this petition so as to enable the petitioner to implead the said persons if so advised, were the petitioner to institute a fresh writ petition.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

NOVEMBER 12, 2025

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² (2012) 7 SCC 610

³ (2006) 8 SCC 129

⁴ (2011) 6 SCC 570

⁵ (1974) 1 SLR 594 (SC)