



2025:DHC:10340-DB



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

Date of decision: 21.11.2025

+ W.P.(C) 17684/2025

AMIT KUMAR

.....Petitioner

Through: Mr.Anil Singal, Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Dr.Vijendra Singh Mahndiyan,
CGSC for R-1 & R-2
Mr.Vaibhav Manu Srivastava,
Adv. for R-3 & R-4

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

CM APPL. 73101/2025 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This petition has been filed, challenging the Order dated 08.05.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal') in O.A. No.4360/2024, titled *Amit Kumar v. Directorate General of Defence Estates*, modifying its *Interim* Order dated 09.11.2024 and directing that any action taken by the official respondents by conducting a Review Departmental Promotion Committee (DPC) and any promotions made pursuant thereto, shall be subject to the final

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outcome of the aforesaid O.A..

3. The learned counsel for the petitioner submits that, by the above O.A., a seniority list that had been settled since 2005 was challenged by the private respondents in the year 2016. In the meantime, promotions were made based on the settled seniority list. He further submits that the O.A. is now listed for hearing before the learned Tribunal on 08.12.2025.

4. On the other hand, the learned counsels for the respondents, who appear on advance notice of this petition, submit that the Impugned Order has been passed, protecting the rights of the petitioner as well. They further submit that a revised seniority list is being prepared strictly in accordance with the DoP&T OM's dated 08.08.2013 and 09.01.2014, which require that the *inter se* seniority of the officers be determined on the basis of the total marks obtained in the main examination.

5. We have considered the submissions made by the learned counsels for the parties.

6. By the Order dated 09.11.2024, the learned Tribunal had directed that the holding of the Review DPC be kept in abeyance. As noted hereinabove, by the Impugned Order, the said *Interim* order has been modified, allowing the official respondents to proceed with the holding of the Review DPC, while further directing that any promotions made pursuant thereto shall be subject to the final outcome of the O.A..

7. Keeping in view the fact that the seniority list, which has stood



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since 2005 and on basis of which promotions have also been made by the official respondents, is under challenge in the aforesaid O.A. filed in 2016, we are of the opinion that the *Interim* Order dated 09.11.2024 should not have been modified but instead, the learned Tribunal should have proceeded to hear the O.A. on merits so that finality is achieved on these issues.

8. As the O.A. is now listed before the learned Tribunal on 08.12.2025, we set aside the Impugned Order while restoring the *Interim* Order dated 09.11.2024 passed by the learned Tribunal. In case the Review DPC has already been held, and if its decision has not yet been implemented, the official respondents shall hold their hands on the same.

9. The learned Tribunal is requested to hear the aforesaid O.A. finally on 08.12.2025 and make an endeavour to dispose of the same within a period of two months of its first listing.

10. The petition, along with the pending applications, is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 21, 2025/ns/hs