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

+ **W.P.(C) 4210/2026**

MANOJ KUMAR YADAV & ORS.Petitioners
Through: Mr. Kumar Piyush Pushkar and
Mr. Vikas Pal, Advs.

versus

THE CHAIRMAN, CBIC & ORS.Respondents
Through: Ms. Pratima N. Lakra, CGSC
with Mr. Aditya Kashyap, G.P.
with Mr. Shailendra Kumar
Mishra and Ms. Upanita
Soumyadarshini, Advs. for R-1
& 2.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **01.04.2026**

CM APPL. 20526/2026 [for exemption]

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 4210/2026 & CM APPL. 20525/2026

3. Through the present writ petition, *inter alia*, the Petitioners pray for issuance of writ in the nature of certiorari to quash the order dated 15.12.2025, passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi in O.A. No. 1827/2020.
4. The Petitioners were promoted to the post of Inspector (Central Excise) for vacancies for the year 2016-17 on the basis of a circular which was issued by an Officer, who did not seek approval of the competent Authority.
5. Subsequently, this fact came to the notice of the competent



Authority and direction was issued to hold Review DPC as there were irregularities in the promotion. This issue was also raised before the learned Central Administrative Tribunal, Bangalore, by certain other employees which was dismissed. By a detailed judgment, the High Court of Karnataka upheld the Tribunal's order.

6. Learned counsel representing the Petitioners submits that the aforesaid judgment passed by the High Court of Karnataka is not applicable as it pertains to a different cadre.

7. Be that as it may, it remains undisputed that the circular for promotion of Petitioner and other employees was issued by an officer without any approval. An action was also taken against the said officer. The order passed for holding Review DPC is for the same reason which has been approved by the High Court of Karnataka by a detailed judgment.

8. Moreover, it is now well-settled that the view followed earlier in regard to old vacancies – old rules is no longer a good law in view of the judgment passed by the larger Bench of the Hon'ble Supreme Court in the case of ***State of H.P. v. Raj Kumar : (2023) 3 SCC 773***.

9. Keeping in view the aforesaid position, this Court finds no ground to issue the writ as prayed for.

10. The present writ petition along with the pending application is, therefore, dismissed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

APRIL 1, 2026

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