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

+ **W.P.(C) 4640/2026 and CM APPL. 22640/2026**

MANOJ KUMAR AND ORS

.....Petitioners

Through: Mr. Shishir Pinaki, Mr. Varun Singh,
Mr. Santosh Kumar Shukla, Mr.
Shashank Singh, Ms. Prapti
Srivastava and Mr. Rishi Mishra,
Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mrs. Avnish Ahlawat, SC for
GNCTD Services with Mr. Nitesh
Kumar Singh, Ms. Aliza Alam and
Mr. Mohnish Sehrawat, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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08.04.2026

1. The instant petition is for the following reliefs:

- a) *Issue an appropriate writ, order or direction, particularly in the nature of mandamus, directing the Respondents to forthwith deploy/assign duty to the Petitioners (eligible Home Guards) in any suitable department, including PCR, Traffic or any other unit, in accordance with law*
- b) *Direct the Respondents to implement and give effect to the reinstatement assigning actual duty to the Petitioners, Or*
- c) *In the alternative, direct the Respondents to consider and decide the case of the Petitioners for deployment against existing and approved vacancies, including PCR deployment of Home Guards, in a timebound manner*
- d) *Declare that the action of the Respondents in keeping the Petitioners in reserve without assigning duty despite eligibility and availability of work is arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India;*



e) Issue a writ, order or direction quashing and setting aside the communications/orders whereby the Petitioners have been kept in reserve or denied deployment on the ground of lack of requirement, including but not limited to communications dated 12.11.2025 and 02.01.2026;

f) Direct that the Petitioners be granted continuity of engagement for all practical purposes without prejudice to their rights;

g) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the interest of justice

h) Pass any such other order / directions as this Hon'ble Court deems fit and proper in the facts and circumstances of the case;

2. The petitioners claim to be Home Guard Volunteers, initially deployed in different services including Bus Marshals with Delhi Transport Corporation ('DTC').

3. It is the case of the petitioners that on account of some adverse antecedent, their services were discontinued. The petitioner however, submits that, thereafter, a process of re-verification was undertaken, pursuant to which the petitioners were found eligible and subsequently *vide* orders dated 14.07.2025 and 02.09.2025 they were reinstated.

4. The petitioners further submit that despite such reinstatement, they have not been assigned any duty and have been kept in reserve on the grounds of reduced requirement. Several representations have been made in this regard, the last representation made is dated 23.02.2026.

5. In the view of aforementioned, without commenting anything on the entitlement or otherwise of the petitioners, the Court deems it appropriate to dispose of the instant writ petition with the following directions:

- i. Let the petitioners to file afresh representation enclosing all necessary documents with the respondent no. 2 within a period of seven days from today.
- ii. The respondent before taking the final decision shall also afford an



opportunity of hearing to the petitioner through authorize representative or counsel.

iii. The respondent no. 2 is directed to consider the same and shall pass speaking order within a period of 30 days from the date of conclusion of the hearing.

6. With aforesaid directions the petition along with pending application(s) stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 8, 2026/Sh