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

+ W.P.(C) 7244/2026, CM APPL. 35428/2026
MANOJ KUMAR AND ANRPetitioners

Through: Ms. Apurva, Adv.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Bhagvan Swarup Shukla,
CGSC with Mr. D. Tripathi,
Adv. for UOI.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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22.05.2026

1. Through the present Petition, the Petitioners seek issuance of a writ in the nature of mandamus to direct the Respondent Nos.1 to 3 to consider their appointment on the vacant post of Inspector (Accountant) Group "B" Post (Non-Gazetted) on a deputation basis.
2. A perusal of the record reflects that the Representations of the Petitioners have been rejected on the ground of non-completion of the mandatory 'cooling off' period of three years as per Para 9.1 of DoPT OM 28.03.2024.
3. Learned counsel representing the Petitioners submits that Para 9.1 of the DoPT OM 28.03.2024 is applicable to other external organisations or foreign service, however, the Petitioners are seeking deputation in the same organization in another Department.
4. Sending an employee on deputation is the discretion of the employer, and an employee cannot claim deputation as a matter of right. Moreover, the Respondents have taken a stand that the



Petitioners are required to complete the mandatory 'cooling off' period of three years between two deputations before they apply for the next deputation.

5. The Petitioner No.1 completed his previous deputation on 04.11.2025, whereas Petitioner No.2 completed his previous deputation on 12.03.2025.

6. Keeping in view the aforesaid, no ground for interference is made out. The present Petition is accordingly dismissed. The pending application also stand closed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 22, 2026

jai/ad