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

+ W.P.(C) 9267/2021

CONST. THANGLIAN KHAM (000087683)Petitioner

Through: Mr. Tejas Bhonge for Mr. Ajit
Kakkar, Advocate.

versus

UNION OF INDIA & ORS.Respondents

Through: Ms. Arunima Dwivedi, CGSC
with Ms. Himanshi Singh, Ms.
Monalisha Pradhan, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **30.04.2026**

1. The Petitioner was denied promotion as Head Constable only on account of the fact that he was suffering from HIV and was categorized in medical category SHAPE-2.
2. Learned counsel representing the Petitioner submits that in view of the judgment dated 28.03.2025 passed by a Coordinate Bench of this Court in W.P.(C) 4736/2023 captioned ***Hoshiar Singh vs. Union of India & Ors*** and other connected matters, wherein HIV positive personnel are also entitled to promotion and the SLP against the aforesaid judgment has been dismissed.
3. Keeping in view the aforesaid decision, the Impugned Order dated 11.08.2021 is set aside, while issuing directions to the Respondents to pass a fresh order in accordance with law within a period of the next two months from today.



4. In view of the above, the Petition is disposed of.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

APRIL 30, 2026

ab/ad