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

% *Date of Decision : 15th January, 2026*

+ W.P.(C) 8660/2010
RAMADHAR SINGHPetitioner

Through: Mr. S.N. Kaul, Adv.

versus

UOI AND ORSRespondents

Through: Mr. Amit Gupta, SPC along with Mr.
Vidhur Dwivedi and Mr. Naman,
Adv.
Dy. Comdt. Sohan Lal, Insp. Sanjay
Kumar, Insp. Nitin Kumar, CISF

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

V. KAMESWAR RAO, J. (ORAL)

1. The present writ petition was filed on 14.12.2010, inter alia, seeking the following reliefs:

“(i) Direct the Respondents to produce before this Hon'ble High Court the Service dossier including ACRs of the petitioner and the DPC proceedings for its perusal:

(ii) Issue a Writ of Mandamus to consider the case of the petitioner for promotion to the rank of DIG/CISE. In the mean while one out of the existing vacancies may be ordered to be kept vacant during the pendency of this Writ Petition.

(iii) Issue a writ of Mandamus to grant the petitioner promotion to the post of DIG/CISF from the date his junior has been promoted with all consequential benefits of service including arrears of pay, seniority in the higher post of DIG/CISF:

(iv) Pass any further or any other order or direction in the interest



of justice.”

2. In essence, the petitioner seeks promotion to the post of DIG/CISF from the date on which his junior officer was promoted.
3. It is undisputed that a junior officer was promoted to the post of DIG in October 2010. As per the applicable instructions, eligibility for promotion, includes medical fitness in SHAPE–1 category. The officer is required to be assessed as on 1st January of the relevant recruitment year. In the medical examination conducted in February 2010, the petitioner was placed in SHAPE–2 category and, therefore, was not eligible for promotion to the post of DIG/CISF in the recruitment year 01.04.2010 to 31.03.2011. The petitioner attained SHAPE–1 medical fitness only on 01.05.2010. Consequently, as the petitioner did not fulfil the requisite eligibility criteria as on 01.01.2010, he was not promoted during the said recruitment year. It is further noted that a Departmental Promotional Committee [DPC] for the subsequent recruitment year 01.04.2011 to 31.03.2012 was held in December 2011, wherein the petitioner was found fit for promotion. However, the case of the respondents is as the petitioner had already superannuated on 30.04.2011, the benefit of promotion was denied to him
4. During the course of submissions, learned counsel for the respondents contended that promotions are prospective and can only take effect from the date of the DPC; or the issuance of the order, hence, the recommendations of the DPC could not be acted upon in favour of the petitioner, though he was in service as on 01.04.2011, the date of commencement of the recruitment year.
5. We are unable to accept the aforesaid contention. The petitioner was eligible to be considered for promotion as on 01.01.2011, having been in



SHAPE-1 category. Though the petitioner retired on 30.04.2011, the respondents ought to have convened the DPC prior to his retirement. The delay in holding the DPC until December 2011 cannot be attributed to the petitioner.

6. In view of the fact that the petitioner was found fit in the DPC held in December 2011, for the recruitment year 01.04.2011 to 31.03.2012, and that vacancies admittedly existed during the said recruitment year, coupled with the fact that officers junior to the petitioner were promoted to the post of DIG/CISF, the petitioner is also entitled to promotion to the post of DIG/CISF but with effect from 01.04.2011.

7. Accordingly, the writ petition is allowed. The respondents are directed to grant promotion to the petitioner to the post of DIG/CISF with effect from 01.04.2011, along with all consequential benefits, including fixation of pay, arrears of salary, revision of pension, and other retiral benefits, with interest at the rate of 6% per annum.

8. The aforesaid shall be paid to the petitioner within a period of 12 weeks from today.

9. The petition is disposed of.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 15, 2026/msh/AM