

(2022) 12 DEL CK 0036

In the Delhi High Court

Case No : Civil Writ Petition No. 16693 Of 2022

HC/Steward Gulshan Kumar & Ors.

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 05-12-2022

Acts Referred:

Citation : (2022) 12 DEL CK 0036

Hon'ble Judges : Suresh Kumar Kait, J; Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Anuj Aggarwal, Vikrant, Ayushi Bansal, Arshya Singh, Mukul Singh, Bharat Kumar Singh, Rishav Dubey

Final Decision : Disposed Of

Judgement

CM APPL. 52630/2022

1. Exemption is allowed subject to filing of fair typed copies of dim annexures and documents with appropriate margins within four weeks.

2. The application is disposed of.

W.P.(C) 16693/2022

3. The prayers are as under:-

"3. To Direct the Respondents to amend the Recruitment Rules to the effect that promotional posts are created for the Petitioners in the spirit of judgment rendered by the Supreme Court of India in Appeal (Civil) No. 6253 of 1998 titled as State of Tripura & Ors. V. Sri K.K. Roy, reported in (2004) 9 SCC 65 ratio of which has been followed in judgment dated 27.01.2017 passed by the Hon'ble High Court of Tripura in WP(C) No. 199 of 2011 titled as 'Shri Asok Bhattacharya vs. The State of Tripura';

4. To Direct the Respondents to hold DPC and promote the Petitioners on the promotional posts so created by the Respondents;"

4. Ld. counsel for the petitioner submits that the petitioner has made representation dated 11.01.2021. However, till date final decision has not been taken by the respondent and did not consider the said representation on merit in view of the observations made by the Hon'ble Supreme Court in Case of Appeal (Civil) No. 6253/1998 titled State of Tripura and Ors. V. Shri. K.K. Roy reported (2004) 9 SCC 65.

5. In view of the above, the present petition is hereby disposed of, directing the respondent to take final decision upon the representation dated 11.01.2021 keeping in view the judgment of the Hon'ble supreme Court.