
(2018) 03 DEL CK 0462

In the Delhi High Court

Case No : Civil Writ Petition No. 2536 Of 2018

Jyotsna Mishra

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 19-03-2018

Acts Referred:

Citation : (2018) 03 DEL CK 0462

Hon'ble Judges : Sunil Gaur, J

Bench : Single Bench

Advocate : R.S. Mishra, Anand Mishra, A.K. Gautam, Digvijay Rai

Final Decision : Disposed Of

Judgement

Sunil Gaur, J

1. Impugned order of 12th December, 2017 (Annexure-F) is not in compliance with this Court's order of 3rd November, 2017 (Annexure-E) vide which fourth respondent was directed to pass a speaking order on petitioner's Representation of 22nd February, 2017 (Annexure-D colly.).

2. The stand of petitioner in the Representation (Annexure-D colly.) is that a composite promotion letter of 31st August, 2015 (Annexure-A) vide which petitioner was also promoted was displayed on Social Media only and was neither officially served upon her nor was it sent to her parent unit and so, petitioner could not join on the promoted post.

3. Impugned order does not deal with the aforesaid crucial aspect, which renders it unsustainable and is thus quashed. The fourth respondent is hereby directed to decide petitioner's Representation (Annexure-D colly.) afresh by a detailed speaking order while dealing with each of the averments made in the Representation, within a period of four weeks from today and its fate be conveyed to petitioner within a week thereafter. Fourth Respondent shall also append the relevant documents alongwith the order on petitioner's

Representation, so that validity of the order so passed can be judged on the basis of the documents so attached. If petitioner's promotion is not to be given effect from 1st July, 2014, then the valid reasons be indicated in the order so passed.

4. With aforesaid directions, this petition is disposed of. Copy of this order be given dasti to counsel for the parties.