

(2021) 10 DEL CK 0158

In the Delhi High Court

Case No : Civil Writ Petition No. 11684 Of 2021, Civil Miscellaneous Application No. 36159 Of 2021

Pankaj Kumar & Ors.

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

Date of Decision : 21-10-2021

Acts Referred:

Citation : (2021) 10 DEL CK 0158

Hon'ble Judges : Manmohan, J;Navin Chawla, J

Bench : Division Bench

Advocate : Sudhir Nandrajog, Saahila Lamba, Ripudaman Bhardwaj, Sahaj Garg

Final Decision : Disposed Of

Judgement

Manmohan, J

1. Present writ petition has been filed by the petitioners challenging the notice issued in June, 2021 by Central Reserve Police Force ('CRPF') for recruitment to the post of Assistant Commandant (Civil/Engineer) in CRPF as well as the order dated 29th October, 2019. Petitioner also challenges the Central Reserve Police Force Engineering Officers (Group A posts) Recruitment Rules, 2018.

2. Learned senior counsel for the Petitioners states that the Petitioners are working in the rank of Assistant Commandant in the executive cadre in CRPF and have joined the same by passing a rigorous exam conducted by UPSC.

3. He states that vide the impugned order dated 29th October, 2019, the Directorate General, CRPF issued an order creating/sanctioning several posts in Engineering Set-Up/Pioneer Wing of CRPF which included 50 (Group A) posts of Assistant Commandant (Engineering). He further points out that as a consequence of illegal creation/sanction of posts in Engineering Set-Up/Pioneer Wing of CRPF, the respondents have issued a notice for making recruitment to the post of Assistant Commandant (Civil/Engineer) in CRPF.

4. He submits that the creation of Group A posts of Assistant Commandant (Civil/ Engineer) and framing of CRPF Engineering Officers (Group A posts) Recruitment Rules, 2018 without the approval of DoPT, Ministry of Finance and UPSC is illegal.

5. A perusal of the paperbook reveals that the petitioners have not made a representation to the respondents before approaching this Court by way of the present writ petition.

6. Accordingly, this Court directs the present writ petition to be treated as a representation to respondent No. 1 who in turn is directed to decide the same by way of a reasoned order in accordance with law within twelve weeks. This Court clarifies that it has not commented on the merits of the controversy. The rights and contentions of all the parties are left open.

7. Consequently, the present writ petition along with pending application stands disposed of.