

(2022) 11 DEL CK 0098

In the Delhi High Court

Case No : Civil Writ Petition No. 14092 Of 2021, Civil Miscellaneous Application No. 44470 Of 2021

Pramod Kumar Singh & Ors.

APPELLANT

Vs

Union Of India & Ors.

RESPONDENT

Date of Decision : 18-11-2022

Acts Referred:

Citation : (2022) 11 DEL CK 0098

Hon'ble Judges : Suresh Kumar Kait, J;Saurabh Banerjee, J

Bench : Division Bench

Advocate : Saahila Lamba, Ripu Daman Bhardwaj, Kushagra Kumar, Sourabh Bhushan, Pratap Shanker, S. Shantanu, Poorvi Sinha, Ankur Chhibber

Final Decision : Disposed Of

Judgement

1. Learned counsel for the petitioners has drawn our attention to para 4 and 5 of the counter-affidavit filed by respondent nos.1, 2 and 3 which states as under:

4. It is submitted that in order to fill up 50 vacancies against promotion quota, a supplementary DPC was convened on 20/10/2010 which had zone of consideration as 78. SM/Inspectors posted in CRPF, except 13 SM/Inspectors who had not completed 3 years service as Inspector as on crucial date as stated in para 3 above i.e. on 01/01/2010. However, on the strength of relaxation accorded by MHA, 147 SM/Inspectors became eligible to be considered for promotion as Assistant Commandant. Among the first 50 SM/Inspectors who had been empanelled for promotion, 13 were away of deputation to NSG/ SPG. Therefore DPC kept equal number M/Inspectors in the extended panel. The promotion of the officers on d panel were with a rider that they will be released on promotion case the personnel away on deputation do not report back and prefer to avail proforma promotion under NBR till completion of deputation period as allowed by Para 8.6 of DoPT Order dated 17/06/2010.

5. It is further submitted that Amongst the 53 petitioners, 18 petitioners as

mentioned below who are senior in Gradation List, were initially considered for promotion to the rank of Assistant Commandant in the supplementary DPC convened on 20/10/2010 for the vacancy year 2010-2011.

Sl No.

Petitioner

No. in W.P

Name of Petitioner

Remarks

1

9

Rajesh Kumar

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2

30

B S Rawat

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3

1

Ramesh Kumar Tripathi

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4

13

Sanjeet Kumar

Deputation with SPG

5

7

Manish Sinha

Deputation with SPG

6

21

P Neel Kanta Singh
Deputation with SPG
7
33
Sunil Kumar
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8
45
Mahesh Phadtare
--
9
47
Amit Singh
Deputation with SPG
10
22
Ashish Raj
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11
35
Mohit Tyagi
Deputation with SPG
12
28
Yakub Khan
Deputation with SPG
13
50
Hemant Bhatt
Deputation with SPG

14

37

Hari Shankar Sharma

Deputation with SPG

15

2

Alex George

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16

14

Kamal Singh

Deputation with NSG

17

41

Anup Kumar Srivastava

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18

53

Anup Kumar Tiwari

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2. In view of the above, learned counsel for the petitioners submits that the present petition may be disposed of, directing the said respondents to take a final decision qua the petitioners.

3. Accordingly, the present writ petition alongwith the pending application is disposed of with a direction to the respondents to arrive at a final decision qua the petitioners within a period of eight weeks from today as per due process of law.