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

+ W.P.(C) 7228/2023, CM APPLs. 28193/2023, 28194/2023,
28195/2023 & 28196/2023

UNION OF INDIA AND ANOTHER Petitioners

Through: Mr. Ruchir Mishra, Mr. Sanjiv Kumar
Saxena, Ms. Poonam Shukla and Ms.
Reba Jena Mishra, Advocates.

versus

R.R.S. PARIHAR AND OTHERS Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

% **24.05.2023**

CM APPLs. 28194/2023 & 28195/2023

Exemption allowed, subject to all just exceptions.

Applications stand disposed of.

CM APPL. 28196/2023

For the reasons stated in the application, the petitioners are allowed to file lengthy synopsis and list of dates.

Application stands disposed of.

W.P.(C) 7228/2023 & CM APPL. 28193/2023

1. The submission of Mr. Mishra, learned counsel for the petitioners is that it is settled law that a candidate has a right to be considered in the light of the existing rules, that is the rules in force, as on the date of consideration. According to him, against the vacancies for the year 2012 the consideration which has taken place in the year 2013, necessarily has to be under the amended rules. He has relied upon the judgment of Supreme Court in the



case of ***State of Himachal Pradesh & Ors. vs. Raj Kumar & Ors., (2023) 3 SCC 773***, in support of his submission.

2. Issue notice to the respondents. Till the next date of hearing, there shall be a stay of impugned judgment/order dated November 22, 2022 passed in O.A. 2056/2021 by the Central Administrative Tribunal, Principal Bench.

3. Renotify on December 11, 2023.

V. KAMESWAR RAO, J

ANOOP KUMAR MENDIRATTA, J

MAY 24, 2023/akc