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

+ W.P.(C) 9299/2021, CM APPL. 28913/2021

MALIKA DAWER & ORS.

..... Petitioners

Through: Mr. Sanjoy Ghose, Sr. Adv. with
Mr. Kartik Yadav, Mr. Manish Tiwari
and Mr Chandra Shekhar, Advs.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Harish Vaidyanathan Shankar,
CGSC with Mr. Srish Kumar Mishra,
Mr. Alexander Mathai Paikaday and
Mr. Krishnan V., Advs.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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27.02.2024

1. Though a pass over is sought, it is not possible to pass over the matter.
2. The prayers in this petition are the following:

“In view of the aforesaid facts and circumstances and in the interest of justice the Petitioners most humbly and respectfully pray that this Hon’ble Court may graciously be pleased to issue:

- a) A writ or writs in the nature of Mandamus or any other appropriate writ/writs to direct the Respondents to publish the final merit list.*
- b) Pass an order/direction to the Respondents directing them to issue joining letter to the Petitioners for the grant of commission to Territorial Army Officer.*
- c) Pass an order for a detailed enquiry by Judicial Intervention into the matter considering the gravity of matter being unjust and unfair.*
- d) Pass an order to put restraint to the commissioned candidates from continuing the services.*



e) Pass an order to stay the whole procedure of TA-2019 and similar entries until the issue is resolved in whole.
f) Pass any other order or grant any other relief(s) as this Hon'ble Court may deem fit and appropriate in the facts and circumstances of the case."

3. The submission of Mr. Sanjoy Ghose, learned Sr. Counsel appearing for the petitioners is that the petitioners who are female candidates, sought their permanent commission which has been denied to them. He also states, as against 8 male candidates only one female candidate has been found fit for permanent commission.
4. Respondent shall produce the relevant record wherein the case of the petitioners for permanent commission was considered on the next date of hearing.
5. Re-notify on May 14, 2024.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 27, 2024/jg