$~2 (Spl. Bench)

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

\+ W.P.(C) 12183/2022

ASHISH KUMAR THAKUR & ORS. .....Petitioners

Through: Mr. Sudarshan Rajan & Mr.Nischay Chaudhary, Advs.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr.Neeraj, SPC with Mr.Sahaj Garg, Adv. & Mr.Rudra Paliwal, GP.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE MADHU JAIN

O R D E R

% 17.07.2026

CM APPL. 17612/2026 (Exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 17613/2026

2. This is an application seeking condonation of delay in re-filing of the Review Petition.

3. For the reasons stated in the application, the delay is condoned.

REVIEW PET. 118/2026

4. This Review Petition has been filed seeking review of our judgment and order dated 20.12.2025.

5. The learned counsel for the petitioners/Review Petitioners submits that this Court has wrongly observed that all Commissionerates have treated the creation of the posts for the year 2013-14. Drawing our attention to the notification dated 14.11.2014

passed by the Chief Commissioner of Income Tax (CCA) Hyderabad, the order dated 14.11.2014 passed by the Principal Chief Commissioner of Income Tax, Mumbai, and the order dated 14.11.2014 passed by the Principal Chief Commissioner of Income Tax, Pune, the learned counsel for the petitioners/Review Petitioners submits that these Commissionerates have taken the creation of the post as on the date of the notification/order.

6. On the other hand, the learned counsel for the respondent has again drawn our attention to the written submissions, wherein a categorical assertion has been made that the additional posts stood created with effect from 23.05.2013 at different levels, and all the 18 zones of the Income Tax Department have treated these additional posts of ITO as vacancies for financial year 2013-14. He submits that, in fact, by subsequent orders, even the Commissionerates at Hyderabad, Mumbai, and Pune have considered these vacancies to have arisen only in the year 2013-14.

7. In view of the above categorical stand of the respondents, we find no merit in the present Review Petition. The same is accordingly dismissed.

NAVIN CHAWLA, J

MADHU JAIN, J

JULY 17, 2026/*rv/as*