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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11206/2019

SANKALP MEENA AND ORS.

.....Petitioners

Through: Mr. Mukesh Kr. Bhardwaj, Adv. with
Padma Kumakumar, Adv.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Ms. Abha Malhotra, CGSC with Ms.
Amrita Sony, Advocates for R1 & R2

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

18.07.2024

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1. By way of the present petition under Article 226 of the Constitution of India, the petitioners, who are working as Sub Inspectors in the CRPF, have approached this Court assailing the promotion order dated 12.07.2019 passed by the respondents.
2. Learned counsel for the petitioners submits that the promotion list is liable to be set aside as the respondents have while promoting as inspectors, those candidates who had never availed of any benefits of reservation wrongly considered them as SC/ST candidates. These candidates, he urges, were not only appointed as general category candidates but were also meeting the promotional criteria of general category candidates. As a result of they being wrongly adjusted against the vacancies earmarked for SC/ST candidates, the petitioners who are SC/ST candidates have been deprived from being considered



against these reserved category vacancies.

3. His plea being that any SC/ST candidate who was higher in merit than the general category candidate, ought to be considered for promotion against an unreserved vacancy only.
4. Learned counsel for the respondents, however, submits that this very issue raised in the present petition is pending consideration before the Apex Court and therefore, prays that hearing be deferred. Since, learned counsel for the petitioner vehemently disputes this position, we direct the learned counsel for the respondents to place on record, within six weeks, pleadings of the petition which it is claimed, raises the same issue and is pending consideration before the Apex Court.
5. List on 18.12.2024.
6. Interim orders to continue till the next date.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 18, 2024

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