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

+ **W.P.(C) 293/2025 & CM APPL.1441/2025 & 1442/2025**

VIPLAV PANDEY

.....Petitioner

Through: Mr. Abhinav Garg & Mr.
Manwendra Gautam, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Anju Gautam & Mr. R.L.
Goel, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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13.01.2025

1. This petition has been filed by the petitioner, praying for a direction to be issued to the respondents to promote the petitioner to the post of Inspector (General Duty) as per the Promotion List dated 11.03.2024.

2. The petitioner has been denied this promotion as an FIR has been registered against the petitioner under Sections 323/376/384/506 of the Indian Penal Code, 1860 (in short, "IPC").

3. The learned counsel for the petitioner submits that as the chargesheet had not been filed as on the date of the Departmental Promotion Committee, or the issuance of the Promotion Order, and there was no departmental inquiry pending against the petitioner, therefore, in terms of the judgment of the Supreme Court in ***Union of***



India vs. K.V. Janakiraman, AIR 1991 SC 2010, the petitioner could not have been denied promotion.

4. Issue notice.

5. Notice is accepted by Ms. Anju Gautam, the learned counsel for the respondents. She submits that she has not received a copy of the paper book of the petition.

6. Let the same be supplied to her by the learned counsel for the petitioner during the course of the day.

7. The learned counsel for the respondents shall take instructions on the above *plea* of the petitioner and, if required, file a short affidavit within a period of two weeks from today.

8. List on 27th March, 2025.

NAVIN CHAWLA, J

SHALINDER KAUR, J

JANUARY 13, 2025/ab/sk/IK

Click here to check corrigendum, if any