



\$~21(2)

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

+ W.P.(C) 8566/2011

BP SHARMA AND ORS

..... Petitioners

Through: Mr. A. K. Behera, Sr. Advocate with
Mr. Amarendra P. Singh, Advocate.

versus

UOI AND ORS

..... Respondents

Through: Mr. Chetan Sharma, ASG with Mr.
Harish Shankar, CGSC, Mr. Amit
Gupta, Mr. Vinay Yadav, Mr. R.V.
Prabhat, Mr. Sahaj Garg and Mr.
Rishav Dubey, Advocates.
Mr. Vinay Kumar Garg, Sr. Advocate
with Mr. Parv Garg, Mr. K.S. rekhi
and Mr. Pawas Kulshreshtha,
Advocates for R-7.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

% **29.03.2022**

The hearing has been conducted through hybrid mode (physical and virtual hearing).

CM APPL. 11088/2022 (By R-7 for vacation of stay granted vide order dated 23.12.2020)

1. The case was taken up on mentioning by the learned Additional Solicitor General ('ASG').
2. The petitioners had sought protection against the order of the Central Administrative Tribunal ('CAT'), Principal Bench, dated 29.11.2011 in OA No. 2589/2010. This court stayed their reversion order on 28.03.2012. The matter has been pending for a decade. The learned



ASG submits that in the interim, 156 odd vacancies have arisen, which need to be filled up on an urgent basis and it would affect approximately 400 officers serving all over the country. He submits that these officers need to be stationed in forward posts, in security services.

3. Insofar as the petitioners are concerned, they are protected by the aforesaid order. Their protection shall continue till final disposal of the case.
4. The promotion exercise, as may be, would be carried out as per rules. However, should the petitioners wish to participate in the proposed exercise, it would be open to them to give their consent for the said exercise, without prejudice to their rights and contentions, as claimed in this petition.
5. The learned Senior Advocate for the R-7 submits that a Seniority List has been drawn by the department, pursuant to the order of the Supreme Court dated 12.05.2011 in SLP(C) No. 12972/2011. However, the learned Senior Advocate for the petitioners submits that it is not so. Be that as it may, the petitioners have been protected by the aforesaid order of 28.03.2012.
6. In view of the DPC not having been held for almost a decade, it is hoped that the same will be concluded by 15.05.2022.
7. Renotify on 24.08.2022.

NAJMI WAZIRI, J

SWARANA KANTA SHARMA, J

MARCH 29, 2022/ss