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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CM APPL. 56200/2022
in
+ W.P.(C) 8566/2011
BP SHARMA AND ORS

..... Petitioners

Through: Mr. M.K. Bhardwaj and
Mr. Shivanshu Bhardwaj, Advs.
versus

UOI AND ORS

..... Respondents

Through: Mr. Chetan Sharma, ASG with
Mr. Harish Vaidyanathan Shankar,
CGSC with Mr. Amit Gupta,
Mr. Saurabh Tripathi, Mr. Rishav
Dubey, Ms. Apurva and Mr. Srish
Kumar Mishra, Advs. for UOI
Mr. Vinay Kumar Garg, Sr. Adv. with
Mr. Parv Garg, Mr. Pawas
Kulshrestha and Mr. K.S. Rekhi,
Advs. for R-7

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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22.12.2022

CM APPL. 56200/2022 (by petitioners)

1. This is an application filed by the petitioners with the following prayers:

*“In the premise of the above, it is respectfully prayed that this
Hon 'ble High Court may be pleased to: -*

a. To direct the concerned Respondents to consider the



Petitioners/ Applicants for promotion by including their names in the list of candidates for promotion to the post of Executive Engineers against the vacancies of the year 2004-05 in compliance of the orders dated 28.03.2012 and 29.03.2022; and/or

b. To restrain the concerned Respondents to conduct the DPC to the post of Executive Engineer; and/ or

Such other and further order which their Lordships of this Hon'ble High Court deem fit and proper may please also be passed.”

2. We have heard Mr. M.K. Bhardwaj, Mr. Vinay Kumar Garg and Mr. Chetan Sharma, learned Additional Solicitor General briefed by Mr. Harish Vaidyanathan Shankar for the parties.

3. At the request of Mr. Harish Vaidyanathan Shankar, re-notify on January 5, 2023.

4. Mr. Vinay Kr. Garg, learned Senior Counsel appearing for the respondent No.7 contest the maintainability of the application in view of the order passed by this Court on March 29, 2022.

V. KAMESWAR RAO, J

ANOOP KUMAR MENDIRATTA, J

DECEMBER 22, 2022/aky