



\$~123 to 128

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

(123).+ W.P.(C) 5945/2017 AND CM APPL. 24684/2017
ELINA DAS & ORSPetitioner
versus

SHIV CHARAN & ORSRespondents

(124).+ W.P.(C) 6603/2017 AND CM APPL. 27367/2017
RAJIVE KUMAR SHARMAPetitioner
versus

SHIV CHARAN & ORS.Respondents

(125).+ W.P.(C) 10845/2018 & CM APPL. 42313/2018,
23807/2020, 10435/2021, 30250/2023 & 4573/2025
UNION OF INDIA & ORSPetitioners
versus

CHARAN SINGH CHAUHAN & ORSRespondents

(126).+ W.P.(C) 376/2018 AND CM APPL. 1581/2018,
23808/2020, 10436/2021, 30416/2023 & 4577/2025
UNION OF INDIA AND ORS.Petitioners
versus

SHIV CHARAN AND ORS.Respondents

(127).+ W.P.(C) 13428/2019
YASH MAURYA AND ORS.Petitioners
versus

SHIV CHARAN AND ORS.Respondents

(128).+ W.P.(C) 1708/2020
PRADEEP AND ORS.Petitioners



versus
CHARAN SINGH CHAUHAN & ORS.Respondents

Through: Mr. Vikram Jetly, CGSC with Ms. Shreya Jetly,
Adv. And Ms. Sumathi Muthuraj, Section Officer
for UOI.

Mr. Padma Kumar S., Adv. For Petitioners in Item
nos. 123, 124, 127 & 128.

Mr. A. K. Behera, Sr. Adv. With Mr. Amarendra P.
Singh, Adv. For respondents in Item nos. 123 to
128.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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25.03.2025

1. After hearing the preliminary arguments by the learned counsels for the parties, it is evident that, admittedly, for the posts of Section Officers in the Intelligence Bureau, there are two channels, that is, through promotion and through LDCE quota and the prescribed quota in the Recruitment Rules for them is in the ratio of 60:40 respectively.
2. The dispute has arisen in the present case on the appointments for the period between 2005 to 2010.
3. In order to adjudicate the present dispute, we find it appropriate that an affidavit disclosing the following facts be filed by the respondent nos. 2 to 5 in W.P.(C) 5945/2017:
 - a. how many vacancies were available in the above post, year wise, between 2005 and 2010;
 - b. how many personnels were appointed in the above post, year wise and channel wise, between 2005 and 2010; and
 - c. in case, it is admitted that certain personnel were



promoted in excess of the channel quota for a particular year, the details of such personnel be also disclosed.

4. It is the case of the petitioner that 85 posts from the quota of LDCE were diverted to the promotion quota with the prior approval of the DoPT and in consultation with the UPSC, on 07.07.2010. The same is disputed by the learned Senior Counsel appearing for the respondents. Let another affidavit be filed by the respondent no. 2-5 in W.P.(C) 5945/2017, placing on record the order by which the diversion had taken place, the approval received from the DoPT, and the consultation with the UPSC. In case any personnel have been appointed against these diverted vacancies, their particulars, including the date from which they were granted seniority, be also disclosed in the affidavit.

5. Let these affidavit(s) be filed within a period of three weeks from today.

6. List on 28th April, 2025, at 2:30 PM.

7. The concerned officer(s) from the official respondents conversant with the facts of the case, shall also remain present alongwith the relevant record.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

MARCH 25, 2025

pM/VS

Click here to check corrigendum, if any