

ITEM NO.42

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No.246/2023 in W.P.(C) No. 1109/2020

NITISHA &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(WITH IA No. 25719/2023 - APPLICATION FOR PERMISSION, IA No. 25724/2023 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 25723/2023 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 25722/2023 - INTERVENTION/IMPLEADMENT)

Date : 27-02-2023 This application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Mr. Huzefa A Ahmadi, Sr. Adv.  
Mr. Rakesh Kumar, AOR

For Respondent(s) Mr. Arvind Kumar Sharma, AOR (N/P)  
Mr. Anas Tanwir, AOR (N/P)

UPON hearing the counsel the Court made the following  
O R D E R

- 1 Mr Huzefa Ahmadi, senior counsel appearing on behalf of the applicants, submits that there has been a violation of the judgment of this Court in **Lt Col Nitisha v Union of India**<sup>1</sup> (paras 115(v) and 119) which required the overall profile of the Women Short Service Commissioned Officers to be considered. It has been urged that SSB 5 failed to do so by pegging the service profile with corresponding batches of male officers.

1 2021 SCC Online SC 261 decided on 25 March 2021

- 2 A copy of the MA shall be served on the Advocate-on-Record assisting Col R Balasubramanian, senior counsel.
- 3 List the MA on 17 March 2023.

**(SANJAY KUMAR-I)**  
**DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**