

ITEM NO.8

COURT NO.6

SECTION XIV

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

Petition for Special Leave to Appeal (C) No.10342/2015

(Arising out of impugned final judgment and order dated 21-01-2015 in WPC No.209/2013 passed by the High Court Of Delhi At New Delhi)

PANKAJ KR. MISHRA & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 26-07-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. V. Shekhar, Sr. Adv.
 Ms. Jyoti Dutt, Adv.
 Mr. Somu Palit, Adv.
 Mr. Shashank Shekar, Adv.
 Mr. Anil Shrivastav, AOR

For Respondent(s) Ms. V. Mohna, Sr. Adv.
 Mr. A.K. Srivastava, Adv.
 Mr. Ritesh Kumar, Adv.
 Mr. M.K. Maroria, Adv.
 Ms. Vernika Tomar, AOR

 Mr. Feroze Ahmed, Adv.
 Mr. Abhinav Agrawal, Adv.
 Mr. Rajesh Kumar, Adv.
 For Mr. E. C. Agrawala, AOR

 Ms. Sushma Suri, AOR

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

Learned Senior Counsel for the petitioners submits that 2151 vacancies have not, as a matter of fact, arisen on cadre restructuring on 03.10.2003. It is submitted that the cadre restructuring was being done on *ad hoc* basis in a phased manner and

majority of the resultant vacancies were filled up in the ratio of 75:25 from LDCs to UDCs. Hence, on the purported exercise of identifying the resultant 2151 vacancies, in addition to the promotions already effected from 2003-2009, there could not have been another 75 per cent promotions by relaxation, treating the total resultant vacancies as 2151.

We direct the first respondent to file response to this specific submission after factual verification of the promotions effected during the years 2003-2009 within four weeks.

It is open to learned counsel for the petitioners to file reply to the above within two weeks thereafter.

Post this matter after six weeks.

(ASHA SUNDRIYAL)
COURT MASTER

(RENU DIWAN)
ASST. REGISTRAR