



2025:DHC:7323-DB



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

*Date of decision: 21.08.2025*

+ W.P.(C) 12622/2025

UNION OF INDIA AND ORS

.....Petitioners

Through: Mr. P. S. Singh, CGSC with  
Ms. Minakshi Singh, Mr.  
Ashutosh Bharti and Mr.  
Rajneesh Kumar Sharma, Advs.

versus

MS. SULEKHA SAGAR AND ANR.

.....Respondents

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**HON'BLE MS. JUSTICE MADHU JAIN**

**NAVIN CHAWLA, J. (ORAL)**

**CM APPL. 51471/2025 (Exemption)**

1. Allowed, subject to all just exceptions.

**W.P.(C) 12622/2025 & CM APPL. 51472-73/2025**

2. This petition has been filed, challenging the Order dated 07.04.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'Tribunal'), in O.A. No. 1284/2020, titled *Ms. Sulekha Sagar & Anr. v. Union of India & Ors.*, allowing the O.A. filed by the respondent herein with the following direction:



*“6.1 In view of above, the OA is allowed thereby quashing the impugned decision. We direct the respondents to accord promotion and seniority on notional basis above immediate junior to the applicants. Consequential order(s) may follow within period of two months from date of receipt of certified copy of this order. Pending applications, if any disposed of. No costs.”*

3. To give a brief background of the facts from which the present petition arises, the respondents were accorded placement in CCS Senior Selection Grade (Director), subject to their successful completion of the mandatory level ‘F’ training under CCS-CTP. They were promoted *vide* Office Memorandum dated 13.11.2017, granting them seniority at serial nos. 53A and 61A upon completion of the training on 11.10.2017. The respondents, however, were aggrieved by the fact that one Mr. R.K. Pandey, who had completed the same training earlier on 01.07.2016, was accorded both higher seniority and the financial benefits.

4. Aggrieved thereby, they submitted representations to the petitioners, seeking notional fixation of pay from 01.07.2016, which were rejected by the petitioner on 14.09.2019. Aggrieved thereby, the respondents filed the above O.A. before the learned Tribunal.

5. As noted hereinabove, the learned Tribunal has allowed the O.A. filed by the respondents herein, observing therein that in the present case, the delay in the respondents completing the mandatory level ‘F’ training course was due to administrative exigencies and was not attributable to them. It was noted that they had not been permitted



to undergo the training on two occasions, as they were handling confidential matters pertaining to the division and submission of proposals for the first supplementary demand for grants. Placing reliance on the Judgments of the Supreme Court in *V. Vincent Velankanni v. Union of India & Ors.*, 2024 SCC OnLine SC 2642, and of the Madras High Court in *J. Davy Arockia Shreemahn & Ors. v. The Secretary to Government & Ors.* (W.P. No. 2065/2020, dated 12.02.2020), the learned Tribunal allowed the O.A.

6. The learned counsel for the petitioners submits that though the respondents could not be released for undertaking the requisite training, they could not, at the same time be promoted without completing the same, as it was a mandatory condition for promotion. He submits that the respondents never challenged their non deputation for the training course and also approached the learned Tribunal with considerable delay. He, therefore, submits that the respondents were not entitled to the relief claimed.

7. We are not impressed by the submissions made by the learned counsel for the petitioner.

8. In the present case, it is not denied that the respondents could not be released for completing the mandatory level 'F' training only because of the administrative exigencies of the petitioner itself and for reasons solely attributable to the petitioners. The respondents cannot be made to suffer for having complied with the orders issued by the petitioners. Though the respondents were deputed on two occasions to



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undertake the course, it was the petitioners who failed to release them. The reason for not releasing the respondents for the mandatory training course is not disputed by the petitioners. The respondents, having complied with the orders of the petitioners, cannot be made to suffer for the same.

9. As far as the plea of delay in filing the O.A. is concerned, we find that the respondents had submitted their representations seeking anti-dating of their promotion on a notional basis, along with pay fixation and seniority. This representation was rejected only on 14.09.2019, and immediately thereafter, the O.A. was filed in the year 2020. There is, therefore, no delay in filing the O. A. by the respondents.

10. We, therefore, find no merit in the present petition. The same, along with the pending applications, is accordingly dismissed.

**NAVIN CHAWLA, J**

**MADHU JAIN, J**

**AUGUST 21, 2025/bs/VG/DG**