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

Date of Decision: 14th November, 2025

+ W.P.(C) 3489/2019

RANJU LEHRA DAS

.....Petitioner

Through: Mr. A K Mishra, Mr Arpit Mishra,
Advocates,

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr. Sarfaraz Ahmad, SPC with Mr.
Arshdeep Singh Randhawa, Legal
Officer RAF and Mr. Rishi Kumar
Chaudhary and Mr. Jitendra Gautam,
RAF.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MR. JUSTICE VIMAL KUMAR YADAV

ORDER (ORAL)

DINESH MEHTA, J.

1. The Petitioner in the present case has raised a grievance that the Respondents have not given her promotion to the post of Assistant Commandant in the year in which she was entitled to.
2. The Petitioner was appointed as Mahila/Naik under sports quota in the year 1995; she was promoted to the post of Head Constable in the year 1997, and then to the post of Sub-Inspector in the year 2010.
3. Informing that the Petitioner had received nine cash rewards as an outstanding sportsperson, learned counsel for the Petitioner submitted that the Petitioner was promoted to the post of Inspector (GD) in the year 2015.



4. As per the Petitioner, though she could not appear for the promotional course in the year 2007 and 2008, as she was detailed for Senior Under Officers Cadre Course (hereinafter referred to as 'SUOCC'), yet the Respondents declared her as 'failed' and did not give her promotion.

5. It is an admitted case that the Petitioner was promoted in the year 2014 and 2015, obviously when she had cleared the promotional course.

6. Learned counsel for the Petitioner firstly invited Court's attention towards Para No. 11 & 12 of the writ petition and submitted that two female officers namely, Landhoi Devi, Tumbi had been given promotion, whereas the Petitioner was not promoted and has been meted out with hostile discrimination.

7. Learned counsel for the Respondents, on the other hand, submitted that averments made in Para Nos. 11 and 12 of the writ petition have been denied by the Respondents, while giving proper details and reasons which reflect that the persons named by the Petitioner were given promotions after they had cleared the SUOCC exam in the relevant years and therefore, the Petitioner's allegation of discrimination so also the allegation that Petitioner had been deprived of the due promotion is factually incorrect and wholly untenable.

8. While inviting Court's attention towards Para Nos. 4, 5 and 9 of the writ petition, learned counsel for the Respondents submitted that the Petitioner has tried to twist the facts inasmuch as in these paras, she has made reference of non appearance in the years 2004 and 2005, whereas during oral submissions, learned counsel has asserted that the Petitioner could not appear in the promotional course in the year 2007 and 2008.



9. Learned counsel invited Court's attention towards Annexure R-1 and submitted that this document clearly shows that the Petitioner had expressed her unwillingness to appear for promotional examination.

10. Learned counsel for the Petitioner (in rejoinder) submitted that the Petitioner has strong case for grant of promotion from the year in which the persons junior to her were promoted. He relied upon the judgment of this Court in the case of **Manorama Singh and Ors vs. Union of India and Ors., 2021 SCC OnLine DEL 3716**, and submitted that in light of the judgment, the Petitioner ought to have been given opportunity to appear in the promotional course/examination and she ought to have been given promotion from such date.

11. Learned counsel for the Respondents rejoined the arguments and submitted that the case cited by the Petitioner is not relevant in the instant case, inasmuch as case of **Manorama Singh (Supra)**, was a case, where the female officers were not provided opportunity to appear for promotional course, whereas in the present case not only the Petitioner, but even other female officers were given opportunity to appear for promotional course and it was out of Petitioner's own choice and will, that she did not appear for the promotional course.

12. Heard learned counsel for the parties.

13. On perusal of the pleadings and considering the submission of learned counsel for the Petitioner, it is clear that the case set by the Petitioner is, that she has been discriminated. We have considered the corresponding reply filed by the Respondents. On perusal where of, we find that the Respondents have aptly responded to the allegation of discrimination levelled by the



Petitioner, by asserting that those candidates did appear for promotional examination, whereas the Petitioner chose not to appear.

14. A simple look at the document (Annexure R-1) filed by the Respondents, leaves no room for doubt that the Petitioner, at her own choice, expressed her unwillingness to appear for the promotional course.

15. The Petitioner's plea that she did not appear or rather, could not appear, in the course because she was detailed for SUOCC, is found to be factually incorrect in view of the reply and documents furnished by the Respondents.

16. Adverting to the judgment in the case of **Manorama Singh (Supra)**, suffice it to say that the said case stands on a completely different footing, inasmuch as the facts therein, clearly show that in such case, the female officers were discriminated vis-à-vis the male officers and that is why, the Court had given them an opportunity to appear for the promotional course and directed the Respondents to give them promotion from the date, persons junior to them were promoted.

17. As against this, in the instant case, the opportunity to appear in the promotional course / examination was very much available to the Petitioner, which for the reasons best known to her, she denied.

18. A look at the standing order (Annexure R-2) reveals to be eligible for promotion to the post of Assistant Commandant, a candidate must have five years service in the rank and he or she should have qualified the Senior Inspector Cadre Course (SICC). The Petitioner failed to fulfil the above referred eligibility criteria of qualifying Senior Inspector Cadre Course. Hence the Petitioner had no right to be promoted prior to 2008.



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19. Having chosen not to appear in the promotional examination, according to us, the Petitioner cannot find fault in the Respondent's action or decision.

20. In view of the above, we hardly find any merit or substance in the present petition. The same is therefore, dismissed.

DINESH MEHTA, J

VIMAL KUMAR YADAV, J

NOVEMBER 14, 2025/hk