

ITEM NO.5

COURT NO.3

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(s) for Special Leave to Appeal (C) No(s).19466/2021

[Arising out of impugned final judgment and order dated 12-10-2021 in WP(C) No.8654/2021 passed by the High Court of Delhi at New Delhi]

CENTRE FOR PUBLIC INTEREST LITIGATION

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 153213/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 25-02-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Prashant Bhushan, AOR  
Ms. Neha Rathi, Adv.  
Ms. Kajal Giri, Adv.

For Respondent(s) :Ms. Mrinal Gopal Elker, AOR

Mr. Tushar Mehta, Solicitor General  
Mr. Kanu Agrawal, Adv.  
Mr. Rajat Nair, Adv.  
Ms. Akshaja Singh, Adv.  
Mr. Alok Dubey, Adv.  
Mr. Amit Sharma B, Adv.  
Mr. Ashok Panigrahi, Adv.  
Mrs. Mrinal Elkar Majmudar, Adv.  
Mr. Arvind Kumar Sharma, AOR

Ms. Diksha Rai, AOR  
Ms. Purvat Wali, Adv.

Mr. Ankur Bansal, AOR

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

1. The instant special leave petition is directed against the

judgment dated 12.10.2021 passed by a Division Bench of the High Court of Delhi, whereby the appointment of respondent no.2 as Commissioner of Police, Delhi, was upheld and consequential challenge was repelled. The petitioner joined the aforesaid proceedings as an intervenor before the High Court and hence, the instant special leave petition has been filed impugning the above-referred judgment of the High Court.

2. It is not in dispute that during the pendency of these proceedings, the tenure of respondent no.2 as Commissioner of Police has expired.

3. The only legal issue that survives for consideration is whether the principles enumerated by this Court in Prakash Singh and others vs. Union of India and others, (2006) 8 SCC 1, Prakash Singh and others vs. Union of India, (2019) 4 SCC 13 and Prakash Singh and others vs. Union of India and others, (2019) 4 SCC 1 are applicable in the matter of appointment of Commissioner of Police, Delhi also. While the case of the petitioner seems to be that those principles will apply *mutatis mutandis* in the case of Commissioner of Police, Delhi - he being the head of the police force, however, the Union of India asserts that the cited judgments in Prakash Singh (supra) will not apply in the matter of deployment/posting/appointment of the officers belonging to the AGMUT Cadre.

4. Keeping in view the subsequent events mentioned above, the instant special leave petition is disposed of as having become infructuous. However, the question of law is kept open to be

adjudicated in an appropriate case.

5. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)  
ASSISTANT REGISTRAR