

(2023) 02 DEL CK 0123

In the Delhi High Court

Case No : Civil Writ Petition No. 2030 Of 2023

Kedar Sharma And Others

APPELLANT

Vs

Union Of India & Ors.

RESPONDENT

Date of Decision : 17-02-2023

Acts Referred:

Citation : (2023) 02 DEL CK 0123

Hon'ble Judges : Suresh Kumar Kait, J;Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Mohammad Usman Siddiqui, Aisha Siddiqui, B.S. Randhawa, Sakeena Quidwai, Md. Asim, Shrey Sharawat, Mohit Auluck, Vivek Nagar

Final Decision : Disposed Of

Judgement

CM APPL. 7700/2023

1. Allowed, subject to just exceptions.

2. Application is disposed of.

W.P.(C) 2030/2023

3. Vide the present petition, petitioners pray as under:

a) To direct the respondents to grant benefit of arrears of 1st Financial Upgradation in the ACP Scheme from the date of completion of their 12 years of service till the date of promotion of Head Constable (GD);

b) To direct the respondents to grant the benefit of 2nd MACP Upgradation on completion of 20 years of service in the pay band of 9300-34800 with grade pay of 4200, from the date of completion of 20 years of service;

c) To direct the respondents to fix the pay of the petitioners in eligible and admissible pay scales as per hierarchy after granting financial upgradation under MACP from their respective due dates in the pay scale of SI with admissible

grade pay;

d) To direct the respondents to issue revised pension order paying arrears of pension in cases of petitioner nos.16 and 23 and the arrears of pay, accordingly, on the interest @ 12% p.a. from the date due.

4. Learned counsel for the petitioner submits that this issue has already been decided by the Hon'ble Supreme Court in the case of Union of India & Ors. vs. Ex. HC/GD Virender Singh on 22.08.2022 being SLP(C) No.16442/2021.

5. Accordingly, we hereby dispose of the present petition by giving directions to the respondents to treat the present petition as representation and decide the same within six weeks from today and the decision taken shall be communicated to the petitioner within one week thereafter.

6. Needless to say that if the petitioner is still aggrieved by the decision, he may challenge the same before the appropriate Forum.

7. In view of above, petition is disposed of.