
(2010) 12 DEL CK 0238

In the Delhi High Court

Case No : Writ Petition (C) No. 5003 of 2001

Ramvir Singh and Others

APPELLANT

Vs

University of Delhi and Others

RESPONDENT

Date of Decision : 21-12-2010

Acts Referred:

Citation : (2010) 12 DEL CK 0238

Hon'ble Judges : Valmiki J Mehta, J

Bench : Single Bench

Advocate : H.K. Chaturvedi and Anjali Chaturvedi, for the Appellant; Mohinder Rupal, for R-1, Amitesh Kumar, for R-2/UGC, Ravinder Agarwal, CGSC and Nitish Gupta, for R-3, for the Respondent

Final Decision : Dismissed

Judgement

Valmiki J Mehta, J.—The Petitioners, by means of the present writ petition seek the relief of One Time Upword Movement Scheme (OTUM) for the pay scale as per the 1987 scheme of the Respondent No. 1.

2. The facts of the case are that the Petitioners were appointed by the Respondent No. 1 to the posts of Technical Assistants on different dates from 1987 to 1988. It is claimed by the Petitioners that in terms of the 1987 ACP Scheme after a period of 8 years they were entitled to One Time Upword Movement in terms of the pay scale and which has been denied to them.

3. University Grants Commission was added during the pendency of the case as Respondent No. 2. The common stand of the Respondents is that the Petitioners are seeking a double benefit inasmuch as post their appointments in the year 1987-1988, they did in fact get a One Time Upword Movement pursuant to the Respondent No. 1's circular dated 9.3.1992 and para III of which reads as under:

III. TECHNICAL ASSISTANTS:

All such Technical Assistants appointed/promoted, through duly constituted

Selection Committee on regular basis between 1.4.1987 to 31.12.1991 be placed in the pay scale of Rs. 1640-2900 as personal to them w.e.f. the date of their appointment/promotion. However, the placement will be notional and cash benefit will accrue to them w.e.f. 1.4.1992:

4. The counsel for the Petitioner could not dispute that after the date of their initial joining in the years 1987-1988 their scale of pay was revised from Rs. 1400-2300 to Rs. 1640-2900 pursuant to the circular dated 9.3.1992. It is therefore quite clear that the Petitioners already got the one time benefit of upward movement even prior to 8 years as was envisaged under the 1987 scheme. If that be so, the Petitioners cannot claim a second/double benefit.

5. In view of the above, there is no merit in the writ petition which is accordingly dismissed leaving the parties to bear their own costs.