

Babulal And Ors vs Union Of India And Ors on 6 February, 2019

Author: S. Muralidhar

Bench: S.Muralidhar, Sanjeev Narula

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 766/2019

BABULAL AND ORS. Petitioners

Through: None.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr.Rajesh Kumar with Ms.Santwana,
Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% 06.02.2019 The Office note has been perused. The order dated 23rd January 2019 shall read as under:

" W.P.(C) 766/2019

BABULAL & ORS. Petitioners

Through: Mr KK Sharma and Mr Prabhash Giri, Advocates versus UNION OF INDIA AND ORS.
Respondents Through: Mr Rajesh Kumar with Ms Santwana, Advocates for Respondents.

CORAM:

JUSTICE S. MURALIDHAR JUSTICE SANJEEV NARULA ORDER % 23.01.2019

1. Exemption allowed, subject to all just exceptions.

W.P.(C) 766/2019

2. This writ petition has been filed by the Petitioner Nos. 1 to 6 who are now Inspector (GD) and Petitioner Nos. 7 to 9 who are Sub-Inspectors (GD) in the Central Reserve Police Force (CRPF). The abovementioned Petitioners joined CRPF between December 1982 and January 1984 and were initially recruited as "Constable". The petition prays for directions to be issued to the Respondents to correctly fix the pay of the Petitioners in the scale of Rs.10,230/- plus grade pay of Rs.4,200/- instead of

Rs.9,300/- plus grade pay of Rs.4,200/- upon completion of 24 years of service.

3. It is submitted that apart from Petitioner No.1 who completed 24 years of service in 2006 and Petitioner No.9 who completed the same in 2008, all the other Petitioners completed 24 years of service in 2007. The official details of the Petitioners, which include their dates of joining, posts held, current post, dates of completing 24 years of service etc have been annexed (Annexure „A) along with the petition in a tabular format.
4. The issues raised are no longer res integra and have been considered in a number of decisions of this Court. The most recent is the decision dated 12th November 2018 of this Court in W.P.(C) 9893/2018 (Rajbir Singh v. Union of India).
5. The earlier decisions of this Court in W.P.(C) 9359/2016 dated 11th October 2017 (SI/GD Shambhu v. Union of India) and in W.P.(C) 332/2017 dated 12th January 2018 (Jas Ram v. Union of India), wherein relief has been granted to identically placed Petitioners, have been discussed in detail in its decision in Rajbir Singh (supra).
6. Following the aforementioned decisions, the petition is allowed and the impugned orders challenged are quashed. A direction is issued to the Respondents to fix the pay scales of the Petitioners at Rs.10,230/- plus grade pay of Rs.4,200/- with effect from the date on which each of them completed 24 years of service.
7. Consequential order be passed by the Respondents within a period of eight weeks from today."

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 06, 2019 tr