



2024:DHC:8610-DB



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

Date of decision: 07.11.2024

+ **W.P.(C) 15532/2024**

INSP/GD JAGDISH PRASAD JAT Petitioner

Through: Mr.N.L.Bareja, Adv.

versus

UNION OF INDIA AND ORS Respondents

Through: Mr.Syed Abdul Haseeb, CGSC
with AC Ajay Pal, SI Shiv
Kumar Singh.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 65244/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 15532/2024

2. Issue notice.

3. Mr.Syed Abdul Haseeb, the learned CGSC, appearing virtually in another matter, is requested to accept the notice on behalf of the respondents. A copy of this petition be handed over by the learned counsel for the petitioner to the learned counsel for the respondents within two days.

4. In the present petition, the petitioner's grievance is that he



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successfully qualified the recruitment process for the post of Sub Inspector/GD in the Central Reserve Police Force (in short, 'CRPF') through the Limited Departmental Competitive Examination (in short, 'LDCE') -2013 for unreserved vacancies. However, his candidature was rejected during the verification of his testimonials, due to an endorsement of "NQS", which was subsequently regularized as leave on Half Pay (with no leave salary) in his service records, as the same was considered as disqualification. The petitioner previously approached this Court by way of Writ Petition, being W.P.(C) 1803/2014. The same was allowed by this Court's Judgment dated 19.08.2015, directing the respondents to issue an appointment letter to the petitioner for the post of Sub Inspector/GD according to his merit ranking. Consequently, the petitioner was appointed as an SI/GD with effect from 28.03.2016, with seniority granted at par with his batchmates from LDCE-2013, effective from 28.03.2014. However, he was not given the pay and allowances, including increments, that his batchmates received in the years 2015 and 2016. The petitioner claims that in similar circumstances, this Court in its Judgment dated 30.08.2022 passed in W.P.(C) 4580/2021, titled ***SI/GD Ashok Kumar v. Union of India & Anr***, directed the respondents to grant all the consequential benefits, including pay, allowances, and increments, at par with batchmates to the petitioner therein.

5. The petitioner claims that thereafter, he has also been promoted to the rank of Inspector/GD along with his batchmates as per seniority dated 09.12.2022. However, despite the same, there is a disparity of pay between the petitioner and his batchmates. The petitioner has filed



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a representation with the respondents regarding the grievance, however, the respondents have not acceded to the request of the petitioner and the notice has not been replied to.

6. Keeping in view the nature of the grievances of the petitioner and the relief sought, we are of the opinion that the respondents should consider the present petition as a representation of the petitioner and decide the same with a speaking order specially keeping in view the Judgment of this Court in **Ashok Kumar** (supra), within a period of twelve weeks from today. The decision on the representation shall be communicated to the petitioner. In case the petitioner is aggrieved by the decision taken on his representation, it would be open to the petitioner to avail of such remedies as may be available to him in law. All rights and contentions of both the parties are reserved.

7. The petition is disposed of with the above directions.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 7, 2024/Arya/DG

[Click here to check corrigendum, if any](#)