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

+ W.P.(C) 1424/2016

INDERJEET SINGH

..... Petitioner

Through: Mr. Suresh Chand, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Preet Singh, Advocate for
Mr. Jagjit Singh, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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23.02.2016

1. The present petition has been filed by the petitioner, who is presently working on the post of Driver Grade-I with the respondent No.2/RPF, praying *inter alia* for issuance of a writ of mandamus to the respondents to grant him financial benefits under the Modified Assured Career Progression (in short '**MACP**') Scheme from the date of his entitlement alongwith arrears.

2. Learned counsel for the petitioner submits that the petitioner was entitled to the benefit of the MACP Scheme, which came into force in the year 2007 but he has been deprived of the said benefit by the respondents. He further states that the petitioner has made several representations to the respondents seeking the benefit of the MACP

Scheme that had culminated in the legal notice dated 28.09.2015, wherein it has been contended that other similarly placed employees have been given the benefit of MACP Scheme, but none of the said representations have been responded to, thus compelling him to file the present petition.

3. Counsel for the respondents, who appears on advance notice, disputes the submission made by counsel for the petitioner and states that the petitioner had joined the respondents as a Constable (Executive) on 12.06.1984 and was given his first promotion as a Driver Grade-III in the rank of Head Constable in the year 1997 and he was promoted as a Driver Grade-II in the year 2000. Lastly, he had got promoted to the rank of Driver Grade-I w.e.f. 01.11.2008 and in these circumstances, the petitioner is not entitled to the benefit of the MACP Scheme. He, however, concedes that the respondents have not replied to any of the representations submitted by the petitioner or for that matter, to the legal notice dated 28.09.2015.

4. In view of the aforesaid position, it is deemed appropriate to dispose of the present petition with directions issued to the respondents to treat the legal notice dated 28.09.2015 issued on behalf of the petitioner as his representation and decide the same within four weeks from today under written intimation to him. While

passing a speaking order, the respondents shall specifically respond to the grievance raised by the petitioner that other similarly placed employees have been granted the benefit of the MACP Scheme, whereas the petitioner has been deprived thereof. If the petitioner is aggrieved by the decision that may be taken by the respondents, he shall be entitled to seek his remedies as may be available in law.

5. The petition is disposed of.

HIMA KOHLI, J

SUNIL GAUR, J

FEBRUARY 23, 2016

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