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

+ W.P.(C) 4866/2016 & CM No.20305/2016

BIKRAM SINGH, EX. CT/GD (SINCE DECEASED)
THROUGH L.R. SMT. MANJU RAWAT Petitioner
Through : Mr. O.P. Aggarwal, Advocate

versus

UNION OF INDIA & ORS Respondents
Through : Mr. Vivek Goyal, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **25.05.2016**

1. The present petition has been filed by the legal heir of Lt. Bikram Singh, Ex-Constable (GD) working with the respondents No.4 & 5/SSB, praying *inter alia* for directions to grant him the benefits of the first and second financial upgradation under ACP Scheme w.e.f. 9.8.1999, in the scales of Head Constable and Sub-Inspector respectively with all other consequential benefits, in terms of the OM dated 8.9.1999.
2. Counsel for the petitioner submits that the present case is a covered case and the issue raised herein is no longer *res integra*. In support of the said submission, he refers to the judgment dated 26.5.2014, passed by a Division Bench of this Court in a batch of writ petitions, lead matter registered as **WP(C)No.3123/2014** entitled 'Dharamvir vs. Union of India & Ors.', and states that the petitioner's deceased husband is entitled to the same relief. The deceased had taken voluntary retirement on 1.10.2003 and had expired on 7.12.2008. As the petitioner was unaware of the correct legal position, she could not take any steps till recently when a representation

dated 10.3.2016 was addressed by her to the Director General, SSB (Annexure P-10).

3. Mr. Goyal, learned counsel for the respondents, who appears on advance notice, states that the respondents shall consider the aforesaid representation submitted by the petitioner and decide the same within a reasonable timeline.

4. In view of the submission made by the counsel for the respondents, the present petition is disposed of with directions issued to the respondents to consider and decide the representation dated 10.3.2016 submitted by the petitioner, within eight weeks from today keeping in mind the aforesaid judgment dated 26.5.2014 passed in a batch of matters, under written intimation to her.

5. The petition is disposed of, along with the pending application.

HIMA KOHLI, J

SUNIL GAUR, J

MAY 25, 2016

sk/ap