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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9225/2016**

SHYAM LAL AND ORS Petitioners
Through: Ms.Saahila Lamba, Mr.T.S.Dagar, Advs.

versus

UNION OF INDIA AND ORS Respondents
Through: Mr.Jagjit Singh, Mr.Sukhdev Singh,
Mr.Preet Singh, Advs. for Railways.

CORAM:
HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **05.10.2016**

1. The present petition has been filed with the following prayers:-

“In view of the facts and circumstances stated above, it is most respectfully prayed that this Hon’ble Court be pleased to:-

(i) Issue writ of mandamus directing the respondents to step-up/upgrade the pay of the petitioners (5500-9000/9300-34800, Grade Pay of Rs.4,600/-) at par with the pay of their juniors /batch mates with effect from the date the juniors/batch mates of the petitioners were granted said pay (5500-9000/9300-34800, Grade Pay of Rs.4,600/-) in terms of judgments dated 07.12.2009 and 03.01.2014 passed by this Hon’ble Court in WP(C) nos.5867/2003 and 7840/2012 respectively and consequently payment of arrears of salary to petitioners together with interest @12% per annum.

(ii) Direct the respondents to pay the penal costs for compelling the petitioners to file the present petition and undertake unwarranted litigation.

(iii) Pass any such other orders as it may deem fit to this Hon'ble Court in the facts and circumstances of the case."

2. It is the submission of the learned counsel for the petitioners that the case of the petitioners is covered by the judgment dated 7th December, 2009 in W.P. (C) no.5867/2003 and also subsequent judgments / orders passed by this Court in various writ petitions, i.e., W.P.(C) Nos. 7840/2012, 8826/2014 and 8/2016.

3. Mr.Jagjit Singh, Advocate, appearing for the respondents on an advance notice drew our attention to an order dated 9th March, 2016 in WP(C) no.8/2016, whereby this Court disposed of the writ petition directing the petitioners therein to file a joint representation, which was to be considered and decided by the respondents in the light of the law laid down in the decisions referred to therein, and prayed that a similar order be passed in this case as well, to which learned counsel for the petitioners had no objection.

4. Considering the submissions made, we direct the respondents to

treat the writ petition as a representation by the petitioners and dispose of the representation in the light of the law laid down by the decisions referred to in the writ petition / representation, within eight weeks from the date of receipt of copy of this order. The petitioners, if aggrieved with the order to be passed, shall be at liberty to challenge the same.

5. Writ petition is disposed of.

INDIRA BANERJEE, J

V. KAMESWAR RAO, J

OCTOBER 05, 2016
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