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

+ W.P.(C) 11406/2016

VOICE OF EX SERVICEMAN

..... Petitioner

Through: Mr.Narender Kaushik, Adv. with
Mr.Pankaj Kaushik, Adv.

Versus

UNION OF INDIA AND ORS

..... Respondents

Through: Ms.Suparna Srivastava, CGSC for
UOI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

07.12.2016

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1. The petitioner which claims to be a registered Society filed this writ petition by way of public interest litigation with the following prayers:-

“1. To direct the Respondent to consider to grant equal MSP for all defence personnel, who are combatant only.

2. To order to direct the respondent to grant time bound/scale promotion to JCO & Jawan before their expiry of term including 3 ACPs.

3. To order to direct to consider grant pension of last rank invariably of substantive or acting.

4. To direct respondent to consider & pay equal disability pension to all i.e. disability do not disfavour/favour any ranks.

5. To direct respondents to issue appropriate direction to appropriate using head & DGR not to issue letters/direction which effects post retirement equality.

6. To direct Respondents No.1 to give

appropriate representation and invite view on any policy made or to be implemented in respect of Jawan/JCO and ex-serviceman amongs JCO and Jawans etc. in the interest of justice.

7. To direct Respondents to consider JCO Jawan for Sundry post i.e. O i/e ECHs, O i/e school O i/e canteen subject to qualification & experience. Now held by only officers without qualification.”

2. Though the learned counsel for the petitioner Sh.Narender Kaushik, raised various contentions and also placed reliance upon the decision of the Supreme Court in ***D.S.Nakara & Ors. Vs. Union of India, (1983) 1 SCC 305*** to substantiate his contentions, we are not inclined to entertain the writ petition in view of the settled principle of law that no PIL can be maintained in a service matter (vide ***Duryodhan Sahu (Dr.) v. Jitendra Kumar Mishra; (1998) 7 SCC 273*** and ***Girjesh Shrivastava and Others v. State of Madhya Pradesh and Others; (2010) 10 SCC 707***).

3. Accordingly, without expressing any opinion on merits of the case, the writ petition is dismissed.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

DECEMBER 07, 2016/‘anb’