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

+ W.P.(C) 9983/2015

SURESH KUMAR

..... Petitioner

Through Mr. Ankur Chhiber, Mr. Vinod
Sharma and Mr. Niraj Jha, Advocates.

versus

UNION OF INDIA & ORS

..... Respondent

Through Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Advocate.

W.P.(C) 9235/2016

HARDIP SINGH AND ORS

..... Petitioner

Through Mr. Ankur Chhiber, Mr. Vinod
Sharma and Mr. Niraj Jha, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondent

Through Ms. Barkha Babbar, Advocate with
Ms. Dipanjali Tyaig, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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02.08.2017

After some hearing, counsel for the petitioners states that he would not be pressing for relief claiming parity with the retired Indian Army personnel.

Counsel for the petitioner submits that the petitioners are not being paid pension in terms of clause 4.2 of DoPT's OM F.No. 38/37/08-P&PW(A) dated 1st September, 2008. He submits that the post, which was

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held by the petitioners, has now been upgraded and accordingly the pension has to be paid on the basis of the new Grade Pay in the Pay Band. Reference is also made to judgment in W.P. (C) No.8012/2013, *S.A. Khan & Anr. Vs. Union of India & Ors.*, dated 9th April, 2015 and W.P. (C) No. 3035/2016, *Ram Phal Vs. Union of India & Ors.*, dated 3rd August, 2016. He submits that the DoPT has accepted the said decisions and has issued a consequential OM on 6th April, 2016.

Counsel for the petitioners states that the petitioners would make a representation enclosing therewith copy of the aforesaid judgements. In view of the statement made by the counsel for the petitioners, the writ petition is dismissed as withdrawn. In case the petitioners make a representation, as has been stated, the same would be considered and examined by the respondents within a period of eight weeks and the decision would be communicated to them. The petitioners, if aggrieved, will be entitled to challenge the decision in accordance with law.


SANJIV KHANNA, J.


NAVIN CHAWLA, J.

AUGUST 02, 2017/NA