

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P. No. 44415 of 2016

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

The order dated 08.11.2017 passed by this Court reveals that the learned counsel for the respondents claimed that on the basis of a judgment dated 17.04.2017 delivered by the Delhi High Court in W.P. Civil No. 9620 of 2015, the Ministry of Defence, D.R.D.O., by an Office Memorandum, dated 12.04.2017, has already taken a policy decision to treat the two additional increments granted to the scientists as part of the pay for all practical purposes. However, the learned Assistant Solicitor General of India sought time to get a copy of the Office Memorandum.

Today, the learned Assistant Solicitor General of India appearing on behalf of the petitioners submits that he has received a communication from the Chief Administrative Officer, D.R.D.O., vide letter dated 11.12.2017. The communication reads as under:

“Withdrawal of W.P.No. 44415 of 2016 filed by UOI Vs. Shri
Y.V.Ratna Prasad & Ors.

Reference is made to letter of even No. dated 27.11.2017 on the above subject case.

In this regard the proposal of DRDO for counting of two additional increments for all purposes such as DA, HRA and pensionary benefits in respect of Scientists “C” to “F” of DRDO on the basis of similar benefit being granted to Department of Space

has been accepted by the Competent Authority i.e. Ministry of Defence vide No. DHRD/ 85101/ INCENTIVES/ VII-CPC/ C/ P/ 012344/ 2017/ D(R&D) dated 22.11.2017.

In view of the above, it is requested to kindly withdraw the case filed by the UOI and inform the above status to the Hon'ble High Court of Hyderabad."

In view of the above communication, the learned Assistant Solicitor General of India seeks permission of this Court to withdraw the writ petition.

Permission is accorded.

Hence, the writ petition is dismissed as having been withdrawn. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

24.01.2018

SURESH KUMAR KAIT, J

bcj

ABHINAND KUMAR SHAVILI, J