

\$~27.

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

+ **W.P.(C) 6807/2018**

RANJEET SINGH AND ORS.

..... Petitioners

Through: Mr. Manoj V. George, Advocate with
Mr. Subart, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. P.S. Singh, Advocate with
Mr. A. Singh, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

04.07.2018

1. The present petition has been filed by seven petitioners praying *inter alia* for issuing directions to the respondent No.2/ITBP for granting them the benefit of the Second financial upgradation under the MACP Scheme, on the dates on which they had become eligible for the same, before their respective dates of retirement, alongwith consequential benefits.
2. Learned counsel for the petitioner seeks to place reliance on the judgment dated 08.12.2017, pronounced by the Supreme Court in **Civil Appeal No.3744/2016** entitled Union of India and Ors. Vs. Balbir Singh Turn and Anr., to state that the case of the petitioners is squarely covered by the decision.
3. A perusal of the writ petition reveals that none of the petitioners have made any representation in the recent past to the respondents/ITBP before approaching the Court for relief.

W.P.(C) 6807/2018

Page 1 of 2

4. In our opinion, the petitioners ought to have first approached the respondents and pointed out the legal position to them before approaching this Court for relief. Having failed to do so, we are not inclined to entertain the present petition directly. However, leave is granted to the petitioners to submit a detailed representation to the respondents and cite the captioned decision of the Supreme Court therein.

5. If the petitioners submit a representation to the respondents within four weeks, the same shall be examined and a speaking order shall be passed keeping in mind the aforesaid decision of the Supreme Court, within eight weeks from the date of the receipt of the representation, under written intimation to the petitioners.

6. In the event the grievance of the petitioners still survives, they shall be entitled to seek legal recourse, as may be advised.

HIMA KOHLI, J

REKHA PALLI, J

JULY 04, 2018

na/ap