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

+ **W.P.(C) 13160/2019**

BIJU ABRAHAM AND ORS.

..... Petitioners

Through: Mr. Ranjith B. Marar, Ms. Lakshmi
N. Kaimal, Mr. A. Karthik, Mr.
Mahendra Kumawat and Mr. Badusha
Sulaiman, Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Pratyush Miglani, Ms. Smriti
Varma and Mr. Niranjana Das,
Advocates for R-1 and R-2.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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16.12.2019

C.M. APPL. 53567/2019 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 13160/2019

2. Notice. Notice is accepted by learned counsel for the Respondents.

3. The Respondents have brought to the notice of the Court that instructions have been issued by way of a letter dated 15th November, 2019 to examine the claims of the Petitioners in light of the orders of this Court in in W.P.(C)

8203/2019 (*Ex. HC/GD Prahalad v. Union of India and batch*).

4. Accordingly, the petition is disposed of with the following directions.

- (i) The Petitioner will be granted the benefit of 1st financial upgradation under the ACP Scheme from the date of his having completed 12 years of regular service, till the date of his next promotion;
- (ii) The Petitioner will be granted the benefit of 2nd financial upgradation under the MACP Scheme from the date of his having completed 20 years of regular service till the date of his retirement;
- (iii) The Petitioner will be placed in the appropriate pay scale of SI/HC etc. as the case may be (for eg. in the case of SIs Rs. 9300 – 34800 with grade pay of 4200) from the date of completion of 20 years of regular service till the date of his retirement; and,
- (iv) The appropriate revised pension orders will be issued and arrears will be paid to the Petitioners within a period of 12 weeks, failing which the Respondents will be liable to pay simple interest at 6% per annum on the arrears for the period of delay.

S.MURALIDHAR, J.

TALWANT SINGH, J.

DECEMBER 16, 2019

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