

\$~68

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

+ **W.P.(C) 12445/2019**

BALWINDER SINGH Petitioner

Through: Mr. Sourabh Ahuja, Advocate.

versus

UNION OF INDIA AND ORS. Respondent

Through: Mr. Vishal Mittal, Senior Panel
Counsel for Respondent Nos. 1 to 3.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% **25.11.2019**

CM APPL. 50841/2019 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 12445/2019

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

3. The prayers in the present petition stand covered by the orders of this Court dated 18th May, 2015 in W.P.(C) 4833/2015 (*Rajender Singh v. Union of India*) and the order dated 13th September, 2019, as modified by order dated 18th September, 2019 in W.P. (C) 8203/2019 (*Ex-Constable GD Prahalad v. Union of India and batch*).

4. Accordingly, the petition is allowed, with following directions to the Respondents:

(i) The Petitioner will be granted the benefit of the 2nd financial upgradation under the ACP scheme from the date the Petitioner completed 24 years of regular service i.e. 19th October, 2000.

(ii) The benefit of the 3rd financial upgradation under the MACP scheme will be granted to the Petitioner from the date the Petitioner completed 30 years of regular service by treating the MACP scheme as applicable from 1st January, 2006.

(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 30 years of regular service up to the date of retirement.

(iv) The appropriate revised pension orders will be issued and arrears will be paid to the Petitioner within a period of 12 weeks, failing which the Respondents would be liable to simple interest at 6% per annum on the arrears of period of delay.

S.MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 25, 2019 / rd