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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 11231/2019**  
**KRISHNADHAN PATARI AND ORS.** ..... Petitioners  
Through: Ms. Saahila Lamba & Mr. Ravi Rai,  
Adv.  
Versus  
**UNION OF INDIA AND ANR.** ..... Respondents  
Through: Mr. Pradeep Sharma, Adv.  
**CORAM:**  
**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**  
**HON'BLE MS. JUSTICE ASHA MENON**  
**ORDER**  
% **13.08.2020**

**[VIA VIDEO CONFERENCING]**

**CM No.18727/2020 of the petitioners under Section 151 CPC for direction to the respondents to properly implement order dated 21.10.2020)**

1. This application has been filed in W.P.(C) No.11231/2019 which was disposed of on the very first date when it came up before this Court i.e. on 21<sup>st</sup> October, 2019, granting the petitioners, the same relief which was granted by this Court in ***Baldev Singh Vs. Union of India*** 2013 SCC OnLine Del 2942 i.e. of payment of grant of first Assured Career Progression Scheme (ACP) benefit from the date the petitioners completed twelve years of their service.
2. The petitioners in the disposed of petition have now filed this application, pleading that though ACP benefit has been granted to them but on the basis of erroneous computation of basic pay. It is pleaded and contended that the petitioners are entitled to ACP benefit on the basis of basic pay computed in terms of ***Vinoj V.V. Vs. Union of India*** 2018 SCC

OnLine Del 12714.

3. The counsel for the petitioners / applicants agrees that the basic pay on which ACP was ordered to be granted was not the subject matter of **Baldev Singh** supra. It is however contended that once this Court in **Vinoj V.V.** supra has directed computation of basic pay for others similarly situated as the petitioners, in a particular manner, the petitioners are also entitled to the same relief.

4. We, in certain other writ petitions coming up before this Bench in the recent past, also claiming the benefit of the judgment in **Vinoj V.V.** supra, have been disposing of those petitions directing the respondents Central Industrial Security Force (CISF) to examine the case of the petitioners therein and to grant to the petitioners benefit of **Vinoj V.V.** supra and if the petitioners are not found entitled to the benefit of **Vinoj V.V.** supra, to communicate the reasons therefor in writing.

5. In the circumstances, though the counsel for the respondents CISF appearing on advance notice seeks time to file reply but the need therefor is not felt. We are of the view that even though this disposed of writ petition was not concerned with the relief as claimed in **Vinoj V.V.** supra but once this Court in **Vinoj V.V.** supra has directed computation of basic pay in certain manner and the said judgment has attained finality and has been held to be of general application, the petitioners need not be compelled to file a separate petition therefor.

6. We therefore direct, (i) the respondents CISF to within six weeks hereof examine the case of each of the eleven petitioners herein and if find the petitioners to be similarly placed as the petitioners in **Vinoj V.V.** supra, grant to the petitioners the same relief as granted in **Vinoj V.V.** supra, within

six weeks herefrom; (ii) however if within the said six weeks, the petitioners or any of the petitioners are not found entitled to the benefit of **Vinoj V.V.** supra, the reasons therefor be communicated to the petitioners or such of them who are not found eligible.

7. The petitioners shall have separate remedies if denied the benefit of **Vinoj V.V.** supra and cannot seek enforcement of the said right claimed, in this writ petition.

8. With the aforesaid, the application is disposed of.

**RAJIV SAHAI ENDLAW, J**

**ASHA MENON, J**

**AUGUST 13, 2020**  
'gsr'..