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

+ **W.P.(C) 7529/2019**

GYAN BAHADUR THAPA Petitioner

Through: Mr. Ankur Chhibber and Mr. Bhanu
Gupta, Advocates.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Rakesh Kumar, CGSC with Mr.
Amit Gupta, GP.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

% **05.12.2019**

1. The Petitioner, who is a member of the Central Reserve Police Force ('CRPF'), seeks the grant of the benefit of the 2nd financial upgradation under the Assured Career Progression ('ACP') Scheme. The Petitioner's grievance is that the Respondents have denied such benefit to him from the date of his having actually completed 24 years of regular service on the ground that the Petitioner had not completed the pre-promotional course by the relevant time. The Petitioner also prays for the grant of the 1st financial upgradation under the ACP from the date of his having actually completed 12 years of regular service.

2. The prayers in the present petition stand covered by the decisions of this Court dated 5th January, 2015 in W.P.(C) 22/2015 (*Jaswant Singh v. Union*

of India), 11th October, 2013 in W.P.(C) 6550/2013 (*Suraj Bhan v. Union of India*), 6th September, 2013 in W.P.(C) 5593/2013 (*Jaipal Singh v. Union of India and batch*).

3. Accordingly, the petition is allowed with the following directions:

- (i) The Petitioner will be granted the benefit of 1st financial upgradation under the ACP Scheme from 1st August, 1999 for completing 12 years of regular service;
- (ii) The Petitioner will be granted the benefit under 2nd financial upgradation under the ACP Scheme from the date of his having completed 24 years of regular service;
- (iii) He shall be granted said benefits notwithstanding his not having completed the pre-promotional course at the time that he completed 12 and 24 years of service.
- (iv) 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 24 years of regular service till the date of the promotion; and,
- (v) The appropriate 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 pay simple interest at 6% per annum on the arrears for the period of delay.

S.MURALIDHAR, J.

TALWANT SINGH, J.

DECEMBER 05, 2019/pa