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

+ **W.P.(C) 7528/2019**

JAI RAM

..... Petitioner

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

versus

UNION OF INDIA AND ORS.

..... Respondent

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

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

ORDER
05.12.2019

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1. The Petitioner who is a member of the Central Reserved Police Force ('CRPF') seeks the grant of the benefits of the 2nd financial upgradation under the Assured Career Progression ('ACP') scheme from the date of completion of 24 years of regular service. The Petitioner's grievance is that the Respondents have denied such benefit to him from the date of his actually completing 24 years of regular service on the ground that he had not completed the pre-promotional course by that time. Additionally, the Petitioner seeks the grant of the benefits of the 1st financial upgradation under the ACP scheme and the 3rd financial upgradation under the Modified Assured Career Progression Scheme ('MACP').

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) 6650/2013 (*Suraj Bhan v. Union of India*), 6th September, 2013 in W.P.(C) 5539/2013 (*Jaipal Singh v. Union of India*) and 13th September, 2019, as modified by order dated 18th September, 2019, of this Court in W.P.(C) 8203/2019 (*Ex.HC/GD Prahalad v. Union of India and batch*).

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

- (i) The Petitioner will be granted the benefits of the 1st financial upgradation under the ACP scheme from the date of his having completed 12 years of regular service;
- (ii) The Petitioner will be granted the benefits of the 2nd financial upgradation under the ACP scheme from the date of completion of 24 years of regular service irrespective of his not completing the pre-promotional course by that time;
- (iii) The Petitioner will be granted the benefits of the 3rd financial upgradation under the MACP scheme from the date of completion of 30 years of regular service by treating the said scheme as applicable from 1st January, 2006.
- (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 30 years of regular service till the date of the next promotion;

(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

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