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

+ **W.P.(C) 11778/2019**

EX. HC/GD SITA RAM BAGARIA

..... Petitioner

Through: Mr. O.P. Agarwal, Advocate.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Sanjeev Uniyal, Advocate
for R-1 to R-6 with Mr.
Dhawal Uniyal, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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08.11.2019

CM APPL.48353/2019 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 11778/2019

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

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

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

- (i) The Petitioner would be given the arrears of the first ACP for the period of completion of 12 years of service till the date of the first promotion;
- (ii) The benefit of the MACP will be given from the date of completion of 20 years of service by treating the MACP as applicable with effect 1st January 2006 onwards;
- (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 up to the date of voluntary retirement; and,
- (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 08, 2019

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