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

+ **W.P.(C) 370/2016**

R C SINGH

..... Petitioner

Through: Mr. E. J. Varghese, Advocate.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Gigi C. George, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **14.02.2019**

1. On 2nd November 2017, the Court has passed the following order:

“1. There is some controversy in the present case about the post on which the initial appointment of the appellant had taken place. While it has been averred in para 2 of the writ petition that the petitioner was appointed in BSF as Sub-Inspector, in the pay scale of Rs.130-260/- and granted his first promotion in the grade of Subedar/Steno in the pay scale of Rs.6500-200-10500 vide order dated 30th September, 1992, the respondent has averred in the counter affidavit that the petitioner was initially appointed in BSF w.e.f. 29th June, 1969 as Constable (GD) and promoted as SI (Steno) w.e.f. 6th August, 1971 and was granted his first financial upgradation as Subedar (PA) w.e.f. 30th September, 1992.

2. Learned counsel for the parties state that they may be permitted to get clear instructions on the aforesaid aspect before they proceed to address the arguments. The matter shall remain on Board.”

2. Today the original record has been produced which confirms the averment in the counter affidavit that the Petitioner was initially appointed as Constable on 29th June 1969 and subsequently promoted as SI (Steno) with effect from 6th August 1971. He was granted his first financial up-gradation as Subedar (PA) with effect from 30th September 1992.

3. In that view of the matter, the prayer made in the present petition that the Petitioner should have been granted the second financial up-gradation in the pay scale of Rs. 8000-275-13500/- cannot be accepted.

4. The writ petition is accordingly dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

FEBRUARY 14, 2019

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