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

+ **W.P.(C) 12933/2019**

CONSTABLE VIJENDER PAL (RETD.)

.... Petitioner

Through Mr. Pankaj Mehta, Advocate
with Mr. Parmod Kalirana and
Mr. Harshit Agarwal,
Advocates.

Versus

UNION OF INDIA & ANR.

..... Respondents

Through Mr. Virender Pratap Singh
Charak, Advocate along with
Ms. Shubhra Parashar, Mr.
Pueshpender Singh and Mr.
Kapil Gaur, Advocates for the
Respondents.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

ORDER

% **09.01.2020**

1. The prayers in the present petition stand covered by the decision of the Supreme Court in *Union of India v. Balbir Singh Turn (2018) 11 SCC 99* as well as the subsequent decision of this Court in W.P.(C) 3549/2018 (*Sunil Kumar Tyagi v. Union of India*) and 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*).

2. Accordingly, the petition is allowed with the following directions issued to the Respondents:-

(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 till the date of his next promotion, by treating the said scheme as applicable with effect from 1st August, 1999.

(ii) The Petitioner will be granted the benefits of the 2nd financial upgradation under the MACP scheme from the date of his having completed 20 years of regular service by treating the said scheme as applicable from 1st January, 2006.

(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 his retirement.

(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.

JANUARY 09, 2020