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

+ **W.P.(C) 1392/2020**

DHAVAL JAYSING VISHWANATH AND ORS.

..... Petitioners

Through: Mr. Mahendra Kumawat and Mr.
Renjith B. Marar, Advocates.

versus

UNION OF INDIA AND ANR.

..... Respondents

Through: Mr. Kamalkanth Jha and Mr. Suraj
Kumar, Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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06.02.2020

C.M. APPL. 4856/2020

1. Allowed, subject to all just exceptions.

W.P.(C) 1392/2020

2. Notice. Learned counsel for the Respondents accepts notice.

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

4. Accordingly, the petition is disposed of with the following directions:

- (i) The Petitioners will be granted the benefit of 1st financial upgradation under the ACP Scheme for having completed 12 years of regular service, till the date of their next promotion;
- (ii) The Petitioners will be granted the benefit of 2nd financial upgradation under the MACP Scheme, by treating the said Scheme as being applicable from 1st January, 2006, for having completed 20 years of regular service till the date of their retirement;
- (iii) The Petitioners 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 till the date of their retirement; and,
- (iv) The appropriate orders will be issued and arrears will be paid to the Petitioners within a period of 12 weeks, failing which the Respondents will be liable to pay simple interest at 6% per annum on the arrears for the period of delay.

S.MURALIDHAR, J.

TALWANT SINGH, J.

FEBRUARY 6, 2020

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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 1385/2020

EX-CPL RAJPAL

..... Petitioner

Through: Ms. Pallavi Awasthi, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Harish V. Shankar, CGSC, and
Ms. Gulabsa, Advocate.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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06.02.2020

C.M. APPL. 4848/2020 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 1385/2020

2. Notice. Learned counsel for the Respondents accepts notice.

3. Subject to the Respondents verifying the details, the prayers in the present petition stand covered by the decisions dated 9th January, 2019 in W.P.(C) No. 10026/2016 (*Govind Kumar Srivastava v. Union of India*); decision dated 11th December, 2019 in W.P.(C) No. 5642/2019 (*Mohammad Israr Khan v. Union of India*) and the decision dated 15th January, 2020 in W.P. (C) 9524/2019 (*Rakesh Kumar v. Union of India*).

4. Accordingly, a direction is issued to the Respondents to grant the Petitioner, upon verification, *pro rata* pension from the dates that he was discharged from service, with arrears being paid to the Petitioner not later than 12 weeks from today, failing which the Respondent would be liable to pay simple interest at the rate of 6% per annum on the said sum for the period of delay.

5. The petition is disposed of with above directions.

S. MURALIDHAR, J.

TALWANT SINGH, J.

FEBRUARY 6, 2020
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