

\$~5

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2306/2020 & CM No. 8022/2020 (exemption)
ASI/GD ATOL SINGH Petitioner
Through: Mr. O.P. Agarwal, Advocate.
versus
UNION OF INDIA AND ORS. Respondents
Through: Mr. Niraj Kumar, Advocate and Mr. Amit
Kumar, Dy. JAG, in person.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **13.03.2020**

CM No.8022/2020 (exemption)

1. Exemption allowed subject to just exceptions.
2. The application stands disposed of.

W.P.(C) 2306/2020

3. This petition has been filed seeking financial upgradation in the ACP/MACP Scheme with effect from 13th July, 2001 onwards and for grant of grade pay in pursuance to the implementation of 6th Central Pay Commission with effect from 1st January, 2006.
4. The petitioner, in the petition itself has relied on judgment dated 8th December, 2017 of the Supreme Court in Civil Appeal Diary No. 3744 of 2016 titled ***Union of India and Ors. versus Balbir Singh Turn & Anr.***
5. The counsel for the petitioner states that vide subsequent judgment of a larger bench of Supreme Court announced of 5th March, 2020 in Civil Appeal No. 2016 of 2020 titled ***Union of India & Ors. vs M.V. Mohanan***

Nair, the earlier judgment has been overruled but he has had no occasion to examine the latter judgment.

6. The counsel for the petitioner seeks to withdraw the petition with liberty to approach again after studying the latter judgment.

7. The petition is dismissed as withdrawn with liberty aforesaid.

RAJIV SAHAI ENDLAW, J

SANGITA DHINGRA SEHGAL, J

MARCH 13, 2020

Afa/

W.P.(C) 2306/2020

page no. 2 of 2