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

+ W.P. (C) 479/2021

RAMDULAR SINGH & ANR.Petitioners

Through: Mr. K.K. Sharma, Advocate.

Versus

UNION OF INDIA & ORS.Respondents

Through: Ms. Talish, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

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Date of decision: 13th January, 2021

J U D G M E N T

MANMOHAN, J: (Oral)

C.M.No.1235/2021

Exemption allowed, subject to all just exceptions.

Accordingly, the application stands disposed of.

W.P.(C) No.479/2021

1. The present writ petition has been filed seeking a direction to the Respondent No. 2 to 5 to give the benefit of the 2nd MACP to the Petitioner No.1 to 6 in the pay scale of Sub Inspector @ Rs 9300-34800/- with Grade Pay of Rs 4200/- upon completion of 20 years of regular service with the CRPF, from their respective due dates of year 2005 by treating the MACP as applicable since 1st January 2006 onwards.

2. Petitioners further pray for a direction to the respondents to pay the arrears in the above terms after rectification of their pay scale along with consequential arrears arising therefrom.
3. Learned Counsel for the petitioners submits that the issue involved in the present writ petition has already been decided by this Court in W.P. (C) No.8203/2019 in **Ex. HC/GD Prahalad vs. Union of India and Ors** vide order dated 13th September, 2019, as modified by order dated 18th September, 2019.
4. Issue notice.
5. Ms. Talish, Advocate accepts notice on behalf of the respondents. She states that a number of special leave petitions are pending consideration before the Supreme Court on the same issue.
6. In rejoinder, learned counsel for the petitioners states that no SLP is pending against the judgment and order in **Ex. HC/GD Prahalad (supra)**, W.P.(C) No.8203/2019 before the Apex Court.
7. Having heard learned counsel for the parties, this Court is of the view that the prayer in the present petition stands 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.HC/GD Prahalad v. Union of India and batch**).
8. Accordingly, the present writ petition is allowed with the following directions:-

- (i) The benefit of the 2nd MACP will be given from the date of completion of 20 years of service by treating the MACP scheme as applicable with effect from 1st January 2006 onwards;

(ii) 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;

(iii) The appropriate orders will be issued and the arrears will be paid to the petitioners within a period of 12 weeks, failing which the respondents would be liable to simple interest at 6% per annum on the arrears for the period of delay.

9. Needless to state that the present order will abide by the judgment and order to be passed by the Supreme Court in the pending SLPs, if any, on the same issue.

10. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

ASHA MENON, J

JANUARY 13, 2021

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