

\$~Suppl.-17

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

+ W.P. (C) 1979/2021, CM APPLs. 5780-81/2021

CMDT LAL SINGH YADAV & ANR.Petitioners

Through: Ms. Neela Gokhale and Mr. Vinay
Vats, Advocates

Versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Vikram Jetly, CGSC with Ms.
Vinny Shanghoo (Govt Pleader)

% Date of Decision: 15th February, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MS. JUSTICE ASHA MENON

J U D G M E N T

MANMOHAN, J (Oral):

1. Present writ petition has been filed seeking a direction to the respondents to grant the benefits of Non-Functional Financial ***Upgradation*** (NFFU) to the personnel of the Assam Rifles Force in accordance with the judgment and order dated 05th February, 2019 passed by the Supreme Court in ***Union of India v. G.J. Singh*** and ***Union of India v. Karuna Nidhan***, reported in ***Union of India and others v. Harananda and others, (2019) 14 SCC 126.***

2. Learned counsel for the petitioners states that the 6th Central Pay Commission recommended NFFU to all Group 'A' officers in various organized Group 'A' Services w.e.f. 01st January, 2006.

3. She submits that this Court in **G.J. Singh** (*supra*) and **Karuna Nidhan** (*supra*) has held that merely because the 6th CPC has not recommended grant of NFFU to a particular service, the Group 'A' officers cannot be denied the NFFU, which is otherwise granted to all other officers of Group 'A' Central Civil Services. He points out that the Supreme Court upheld the said judgments vide judgment dated 5th February, 2019 in **G.J. Singh** (*supra*) and **Karuna Nidhan** (*supra*).

4. A perusal of the paper book reveals that the petitioners' representation dated 19th April, 2019 has not been decided till date.

5. Keeping in view the aforesaid, this Court directs that the present writ petition shall be treated as a representation to respondent No.1 which shall be decided by him by way of a reasoned order within twelve weeks. This Court clarifies that it has not expressed any opinion on merits of the matter. All rights and contentions of parties are left open.

6. With the aforesaid direction, the present writ petition and applications stand disposed of. In the event the petitioners are aggrieved by the decision of respondent no. 1, they shall be at liberty to file appropriate proceedings in accordance with law.

MANMOHAN, J

ASHA MENON, J

FEBRUARY 15, 2021

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