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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2726/2021**PRAMOD SINGH YADAV**

Through

..... Petitioner

Mr. Krishan Kumar Sharma,
Advocate

versus

UNION OF INDIA & ORS.

Through

..... Respondent

Mr. Ramniranjan, Pairvi Officer,
CRPF**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****HON'BLE MS. JUSTICE ASHA MENON**

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Date of Decision: 06th April, 2021**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****HON'BLE MS. JUSTICE ASHA MENON****J U D G M E N T**

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MANMOHAN, J (Oral):**CM APPL. 8109/2021**

Allowed, subject to all just exceptions.

Accordingly, present application stands disposed of.

W.P.(C) 2726/2021

1. Present writ petition has been filed with the following prayers:

- “(a) To issue a writ of mandamus or any such order for declaring the action of the Respondent No.2 to 4 in fixing the basic pay scale of the Petitioner @ Rs. 9300/ + Rs. 4200/- Grade Pay while granting 2nd ACP benefit w.e.f. the date when he completed 24 years of his regular service, as illegal and arbitrary;*
- (b) To issue a writ of mandamus or any such order for directing the Respondent No. 2 to 4 to fix / revise / correction of basic pay scale of the Petitioner @ Rs. 5500* 1.86 = 10230/- + Rs.4200/- Grade Pay from the date of completion of 24 years of his service while granting him the benefit of 2nd ACP financial benefit;*
- (c) To direct the Respondent No. 2 to 4 to give the respective arrears to the petitioner along with his pension after re-fixation of his basic pay scale @ Rs. 5500/- * 1.86 = Rs. 10230/- + Rs.4200/- G.P. from the date of completion of 24 years in service while granting him the benefit of 2nd ACP along with subsequent consequential benefits arising there from;*
- (d) Any other relief/ order / direction as the Hon’ble Court may deem fit and proper. ”*

2. Learned counsel for the petitioner states that the issue involved in the matter is covered by the judgement of this Court in ***Jas Ram & Ors. Vs. Union of India & Ors., WP(C) 332/2017*** decided on ***12th January, 2018.***

3. On the last two dates of hearing, learned counsel for respondent no. 2 had taken time to obtain instructions.

4. Today, Mr. Ramniranjan, Pairvi Officer, CRFP states that the petitioner’s case is still under process.

5. Having regard to the fact that a Coordinate Bench has already examined the issue at hand and decided the same in favour of the petitioners

therein who are similarly situated placed as that of the petitioner in the present petition, we propose to allow the present petition on the same line, as decided vide judgement dated 12th January, 2018 in *Jas Ram & Ors. Vs. Union of India & Ors.* (supra).

6. Accordingly, the present petition is disposed of by holding that the petitioner herein shall be entitled to the benefit of clause (i) appended to Rule 7(1)(A) of the Central Civil Services (Revised Pay) Rules 2008 wherever it is more beneficial. Necessary compliance shall be made by the respondents within four months from today. In the event, compliance is made beyond the period granted above, the respondents shall pay simple interest @ 8% per annum to the petitioner from the date of passing of the order, till the payment is released.

7. Accordingly, present petition stands disposed of.

MANMOHAN, J

ASHA MENON, J

APRIL 6, 2021

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