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

+ W.P.(C) 13621/2021

BABU LAL

..... Petitioner

Through: Mr.Akash Swami, Advocate with
Mr.Vinod Soni, Advocate.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Ghanshyam Mishra, Advocate
with Ms.Vinita Sharma and Mr.Syed
Husain Adil Taqvi, Advocates.

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Date of Decision: 2nd December, 2021.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

MANMOHAN, J: (Oral)

1. By way of the present petition, Petitioner seeks directions to the Respondents to grant second Assured Career Progression (hereinafter referred to as 'ACP') benefit on completion of twenty four years of regular service and to restructure the pension in the requisite and correct grade-pay of Assistant-Sub-Inspector as well as to grant the consequential benefits, including arrears of pension as per the correct rank of Assistant-Sub-Inspector instead of Head-Constable.

2. Learned Counsel for the Petitioner states that the Petitioner retired as a Head Constable from CISF on 30th April, 2005 after serving for thirty years, one month and twenty five days. He states that the Respondents have

wrongly fixed the pension of the petitioner in the incorrect grade pay of Head Constable instead of the applicable and correct grade pay of Assistant Sub-Inspector. He states that this is in direct violation of the ACP which categorically grants the benefit of first ACP after regular service of twelve years and second ACP after a regular service of twenty four years.

3. A perusal of the paperbook reveals that the petitioner has submitted a representation through his counsel dated 1st August, 2021 to the respondent-Department. However, the same has not been decided by the Department till date.

4. Accordingly, the present writ petition is disposed of with a direction to respondent No.2 to decide the petitioner's representation dated 1st August, 2021 by way of a reasoned order in accordance with law within eight weeks.

MANMOHAN, J

NAVIN CHAWLA, J

DECEMBER 2, 2021
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