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

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Date of decision: 09.09.2022

+ W.P.(C) 13108/2022

INSP/GD ROBIN KUMAR AND ORS Petitioners

Through: Ms.Ankita Patnaik, Adv.

Versus

UNION OF INDIA AND ORS Respondents

Through: Mr.Vijay Joshi & Mr.Anirudh Shukla,
Advs. with Mr.Saurabh Bhushan, AC
(Legal) CRPF/RAF.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

CM APPL. 39762/2022 (exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

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3. By way of the present petition, petitioner seeks quashing of pay fixation orders of the petitioners upon their promotion to the rank of Sub Inspector in CRPF through LDCE-2010 to the extent that the said pay fixation orders fixed the pay of petitioner incorrectly at Rs.9300-34800 + Grade Pay of Rs.4200/-. Moreover, he seeks directions to the respondents to



refix the pay of the petitioners in the pre-revised pay structure being Rs.10230-34800 + Grade Pay of Rs.4200/- along with all arrears and consequential benefits.

4. During the course of hearing, the learned counsel for the petitioner has drawn the attention of this Court to the decisions of co-ordinate bench in the batch cases of *W.P.(C) 3636/2016 titled as Braham Prakash vs. Union of India & Ors.* decided on 16.10.2018; *W.P.(C) 9256/2020* titled as *Harjinder Singh & Ors. vs. Union of India & Ors.* decided on 06.01.2021; and *W.P.(C) 1806/2021 titled as Insp. GD Murari Lal vs. Union of India* decided on 31.08.2021, wherein similar reliefs have been granted.

5. Consequently, the present writ petition is disposed of with a direction to the respondents to extend the benefits of the revised option exercised by the petitioner in terms of the abovementioned judgments and grant them all the consequential benefits to which they would be entitled within three months from today, provided the petitioners fulfill the criteria stipulated and communicate the said decision thereof to the petitioners within one week thereafter.

6. It is made clear that if the respondents find that any of the petitioner is not fulfilling the stipulated criteria, a reasoned rejection order qua the said petitioner shall be passed and communicated to the said petitioner within one week thereafter.

7. In view of above, petition is disposed.



8. Needless to state that if any of the petitioners are still aggrieved by the decision to be taken, they may challenge the same before the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

SEPTEMBER 09, 2022/ab

