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

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Date of decision: October 13, 2022

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W.P.(C) 14512/2022 & CM APPL. 44371-44372/2022

EX ASI/GD NIKAJI SOPAN RAGHUNATH Petitioner

Through: Ms. Neetu Kumari, Advocate.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Kamal Kant Jha, SPC with Ms. Priya Mishra and Ms. Priyanka, Advocates.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

1. By way of the present petition, the petitioner is seeking issuance of a writ of mandamus to the respondents to take appropriate decision on his representation dated 06.11.2021 and in case it is allowed by the respondents, thereafter, consider his case for grant of 3rd MACP from the date on which he completes 30 years of continuous service alongwith all consequential benefits and arrears of pay. Further, the petitioner prays for a direction for retiral benefits to be recalculated and difference of arrears of pay to be paid to the petitioner, if the said representation is allowed.

2. As per petitioner, after getting enrolled as Constable GD in the CRPF on 02.04.1991, he was promoted to the rank of ASI GD in the CRPF on



24.04.2018. Petitioner claims to have received details of his APAR from 2010 to 2020 on 05.11.2020 and submits that his APAR for the year 2016 had been graded as 'Good' only. Aggrieved thereby, the petitioner filed a representation dated 06.11.2021 for upgradation of the said APAR, which is still pending consideration.

3. Accordingly, it is deemed appropriate to direct the respondents to decide the representation of the petitioner within four weeks from today, the decision whereof, shall be communicated to the petitioner within four weeks thereafter, in writing.

4. In view of above directions, petition alongwith pending applications is accordingly disposed of.

5. It is also made clear that if the petitioner is still aggrieved by the outcome thereof, he may challenge the same before the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

OCTOBER 13, 2022/So