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

% ***Date of decision: 30.05.2023***

+ **W.P.(C) 461/2023 and CM APPL. 29634/2023**

GORAKHNATH SINGH & ANR. Petitioners

Through: Mr. Mohammad Usman Siddiqui, Ms. Aisha Siddiqui, Mr. B.S. Randhawa and Ms. Sakeena Quidwai, Advocates.

versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Vineet Dhanda, CGSC with Mr. Archit Aggarwal, Advocate. Sh. Hemendra Singh, DC, LAW, BSF

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. The petitioners in their present petition has made following prayers:

- a) *To direct the respondents to give the benefit of MACP from the date on which they complete 20 years of unblemished continued service and to re-fix the pay of the petitioners.*
- b) *To direct the respondents to give the benefit of three financial upgradation under MACP Scheme to the next higher grade pay in the hierarchy of pay bands from the date on which the petitioners have completed their 20 or 30 years of their regular service.*
- c) *To direct the respondents that while giving the benefit of next grade pay in the pay band w.e.f their*



respective due date the petitioners be placed in the grade pay of 4200 and/but not in the grade pay of 2800 which was a non-existent post or grade in BSF_GD, at the time, when the petitioners were entitled for their second financial upgradation.

d) To direct the respondents to give the petitioners the benefit of MACP w.e.f their respective due date by placing the petitioners in the grade/scale of Sub Inspector with corresponding pay band or scale of 5500-9000.

e) To direct the respondents to give to the petitioners the arrears of pay and other consequential benefits arising out of aforesaid re-fixation.

2. In view of the averments made in the present petition, we hereby dispose of the present petition directing the respondents to take the present petition as representation filed by the petitioner and the same shall be decided within 8 weeks from today. The decision shall be conveyed to each of the petitioner in writing.

3. Needless to say that if the petitioners are still aggrieved, they may challenge the same before the appropriate forum.

4. The petition is accordingly disposed of along with pending applications.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MAY 30, 2023/PA