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

% Judgment delivered on: 20th October, 2023

+ W.P.(C) 1394/2023

HARGOPAL SINGH AND ORS. Petitioners

versus

UNION OF INDIA AND ORS. Respondents

Advocates who appeared in this case:

For the Petitioner: Mohammad Usman Siddiqui with Mr. Aisha Siddiqui, Mr.B.S. Randhawa and Ms. Sakeena Quidwai, Advocates.

For the Respondent: Mr. Subhash Tanwar, CGSC for UOI with Mr. Ashish Choudhary and Mr. Sandeep Mishra, Advocates.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL. 55244/2023 (for early hearing)

1. Issue notice. Notice is accepted by learned counsel appearing for respondents.
2. For the reasons stated in the application, the application is allowed.
3. Petition is taken up for consideration today itself.
4. Next date of 20.03.2024 is cancelled.



W.P.(C) 1394/2023

1. The petitioners in their present petition have 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 refixation.

2. Learned counsel for the petitioners submits that in similar circumstances, petitions filed by other individuals, *inter alia* W.P.(C) 461/2023 titled as *Gorakhnath Singh & Anr. Vs. Union of India* was filed and this Court directed that the petition be treated as a representation. He prays that similarly the petition of the petitioners



be also treated as a representation and the same be disposed of in accordance with law.

3. Learned counsel for the respondents submits that the representation filed by several individuals including in the case of *Gorakhnath Singh & Anr.* (supra) is active consideration of the competent authority.

4. In view of the above, this petition is disposed of directing the respondents to treat this petition as a representation and decide the same within a period of 8 weeks from today. The decision be communicated to the petitioner. In case the petitioners are aggrieved by the decision, they shall have the right to impugn the same in accordance with law.

5. Petition is disposed of in the above terms.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

OCTOBER 20, 2023
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