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

% ***Date of decision: February 3, 2023***

+ **W.P.(C) 1406/2023 & CM APPL. 5243/2023**

SUKHBIR AND ORS

.... Petitioners

Through: **Mr. Mayank Sharma and Ms.
Divyanshi Maurya, Advocates**

versus

UNION OF INDIA

..... Respondent

Through: **Mr. Naginder Benipal, Sr. Panel
Counsel with Ms. Vidhi, GP, Mr.
Ankit Siwach and Ms. Harithi
Kambiri, Advocates**

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. Vide the present petition, petitioners are seeking directions to the respondents to include the petitioners herein in Old Pension Scheme and grant benefits according to the Old Pension Scheme; quashing of OM dated 17.02.2020 issued by the respondent whereby stating that only those candidates whose results for recruitment were declared before 01.01.2004 against vacancies occurring on or before 31.12.2003 shall be eligible for coverage under the old pension scheme.

2. Learned counsel for petitioners submit that petitioners applied for and were appointed as personnel in CRPF on the basis of an advertisement for the post of Constable/GD in CRPF issued in September, 2003 i.e. much

before the actual implementation of the New Pension Scheme. Hence, petitioners are eligible for Old Pension Scheme.

3. The issue(s) raised in the present petition has already been decided by this Court vide judgment dated 11.01.2023 passed in **W.P.(C) 12712/2021** titled as ***Pawan Kumar and Ors vs. Union of India & Ors.*** and connected petitions.

4. In view of above, the present petition and pending application are disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

FEBRUARY 3, 2023/rk

