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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Date of decision: 21<sup>st</sup> March, 2023

+ W.P.(C) 3453/2023

AJAY KUMAR SHARMA & ORS. .... Petitioners

Through: Mr. Abhay Kumar Bhargava &  
Mr. Satyarth Sinha, Advocates.

versus

UNION OF INDIA THROUGH SECRETARY MHA & ANR.

..... Respondents

Through: Mr. Neeraj Garg, Sr. Panel  
Counsel with Mr. Sahaj, Mr.  
Vedansh Anand & Mr. Rudra,  
Advocates for UOI.

Mr. 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. *Vide* the present petition, the petitioners are seeking following reliefs:

*“a.) Issue a writ of Mandamus or any other writ order or direction thereby directing the respondent DG BSF, to grant the benefits of the MACP scheme in favour of 109 petitioners, reckoning from the date they reported to BRT as the law laid down by this Hon'ble Court in Review Petition No.222 of 2019 filed in W.P (C): 7011/2015 in the title of Bablu Mallick & ANR on 11.10.2019 (Annexure- P4) in time bound manner.*

*b.) Issue a writ of Mandamus or any other writ order or direction thereby directing the respondent DG BSF to grant the arrears and other related benefits to the petitioners with the interest of 12% as per the settled law.”*

2. Learned counsel for the petitioners submits that the petitioners have made the Representation dated 13.12.2022 to the respondent No. 2/Director General, BSF for their re-fixation of pay under ACP/MACP Scheme by reckoning their service from the date of reporting for basic recruit training in accordance with the ICT DTE FHQ O/NO.16284-96 dated 08.12.2022; however, till date, no decision has been taken by the respondent No. 2/Director General, BSF.
3. Accordingly, we hereby dispose of the present petition directing the respondent No. 2/Director General, BSF to decide the said Representation dated 13.12.2022 of the petitioners within four weeks from today.
4. The decision, so taken, shall be communicated in writing to the petitioners within one week thereafter.
5. Accordingly, the present petition is disposed of.
6. Needless to state that if the petitioners are aggrieved by the decision of the respondent No. 2, they may challenge the same before the appropriate forum.

**(SURESH KUMAR KAIT)**  
**JUDGE**

**(NEENA BANSAL KRISHNA)**  
**JUDGE**

**MARCH 21, 2023**  
**S.Sharma**