



* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: July 04, 2023

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+ W.P.(C) 4525/2022

ICAR

..... Petitioner

Through: Mr. Archit Upadhayay and Mr. Dhruv Sheoran, Advocates.

versus

DR. RAJENDER PRASHAD AND ORS.

..... Respondents

Through: Ms. Varsha Aggarwal, Advocate for R-1.
Mr. Manish Mohan, CGSC with Mr. Vedansh Anand, G.P. for UOI.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

V. KAMESWAR RAO (Oral)

CM APPL. 33249/2023

1. This is an application seeking early hearing of the writ petition.
2. For the reasons stated in the application, the same is allowed. The writ petition is taken up for hearing.
3. Application stands disposed of.

W.P.(C) 4525/2022

4. The challenge in this Writ Petition is to an order dated July 15, 2021 passed by the Central Administrative Tribunal in a batch of Original Applications, which includes O.A. 692/2021, whereby the Tribunal has



disposed of the Original Applications including O.A. 692/2021 by stating as under:

“10. For the foregoing reasons, the OAs are allowed, directing that:

(a) for such of the employees, who retired on 30th June of any particular year, increment payable on 1st July shall be extended. Their pensions shall also be revised, subject to their fulfilling other conditions which are applicable. The arrears that become due shall be paid without interest;

(b) Similarly for employees, who retired on 31st December of a particular year, the increment payable on the 1st January of the next year shall be extended and pension revised, subject to same conditions in the same manner.

(c) While extending such benefits, a clause shall be incorporated to the effect that in case the Hon'ble Supreme Court takes a different view in the Civil Appeal arising out of SLP No. 4722/2021, they shall be under obligation to refund the entire benefit without any demur.

The aforesaid exercise shall be under obligation to refund the entire benefit without any demur.

The aforesaid exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

Pending MAs shall also stand disposed of. There shall be no order as to costs.”

5. Learned counsel for the parties agree that the issue now stands covered



by the judgment of the Supreme Court in the case of *The Director (Admn. & HR) KPTCL & Ors. Versus C.P. Mundinamani & Ors.*, Civil Appeal No. 2471/2023, decided on April 11, 2023.

6. If that be so, the Writ Petition is disposed of as being covered by the judgment of Supreme Court in the case of *The Director (Admn. & HR) KPTCL & Ors.* (*supra*).

7. The date of December 11, 2023 is cancelled.

V. KAMESWAR RAO, J.

ANOOP KUMAR MENDIRATTA, J.

JULY 04, 2023/akc

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