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

% ***Date of decision: 26th April, 2023***

+ **W.P.(C) 5320/2023**

GUM BAHADUR THAPA & ORS. Petitioners

Through: **Mr. Abhay Kumar Bhargava and Mr.
Satyaarth B. Sinha, Advocates**

versus

UNION OF INIDA & ORS. Respondents

Through: **Mr. Jatin Singh, Mr. Keshav Sehgal,
Mr. Kashish Bajaj, Mr. Shivam Gaur,
Mr. Shubham Agarwal, Advocates
and 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, petitioners are seeking calling for records and quashing of the order dated 28.12.2022 issued by the Commandant of the 112 BN BSF; directions to the respondents (DG BSF, DIG SHQ RK PURAM & COMMANDANT 112 and 32 BN BSF) to give one notional increment to the petitioners for the purpose of calculation of pension and other terminal benefits as they have completed one full year of service on the date of retirement as per settled law in Annexure P6, Annexure P7 & Annexure P8; directions to the respondent DG BSF to grant the arrear to the

petitioners with the rate of 12% as per law.

2. Learned counsel for petitioners submits that the issue(s) raised in the present petition have already been decided by the Hon'ble Supreme Court in Civil Appeal No. 2471/2023 in the case of *The Director (Admin. And HR) KPTCL & Ors. vs. C.P. Mundinamani & Ors.* as well as by this Court vide order dated 23.01.2020 in W.P.(C) 10509/2019 in the case of *Gopal Singh vs. Union of India and Ors.*

3. In view of above, we hereby direct the respondents to treat the present petition as representation filed on behalf of petitioners and take a final decision within eight weeks from today in view of the judgments mentioned above. The decision so taken shall be communicated to the petitioners within one week thereafter with a reasoned order.

4. With the aforesaid directions, the present petition is disposed of.

5. Needless to say, if the petitioners feel aggrieved by the decision of the respondents on their representation, they may approach the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

APRIL 26, 2023/rk

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