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

+ W.P.(C) 3153/2021

PARAM SINGH

.....Petitioner

Through: Mr. P. Sureshan, Adv.

versus

UNION OF INDIA THROUGH MINISTRY OF HOME & ORS.

.....Respondents

Through: Mr. Jivesh Tiwari, SPC with Ms.
Samiksha, Adv., SI Prahlad, SI Amit
Kumar and HC N. Khan, CISF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

09.07.2024

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CM APPL. 39643/2023 (early hearing)

1. The present application has been preferred by the petitioner under Section 151 CPC seeking early hearing of the petition.
2. Learned counsel for the petitioner submits that the matter was directed to be adjourned *sine die* by this Court as the issue raised in the present petition was pending consideration before the Apex Court at that stage. However, now that on 11.07.2023, the Apex Court has, in SLP(C) 2646/2020, titled as “*Dharam Pal Singh vs. State of U.P. & Ors.*”, authoritatively decided the issue in favor of the petitioner, there is no reason as to why the respondents should not allow the petitioner’s claim.



3. Learned counsel for the respondents submits that in view of the issue having been finally decided by the Apex Court, the respondents have no objection to consider the petitioner's claim on its own merits. He, therefore, prays that the writ petition be disposed of by granting the respondents eight weeks time to decide the petitioner's claim.

4. In light of this stand taken by the respondents, the application along with the petition is disposed of by directing the respondents to consider the petitioner's claim as raised in the writ petition for grant of increment within a period of eight weeks by passing a reasoned and speaking order. Needless to state, while considering the petitioner's claim, the respondents will act strictly in accordance with the Apex Court decision dated 11.07.2023 in SLP(C) 2646/2020, titled as "*Dharam Pal Singh vs. State of U.P. & Ors.*".

5. It is further made clear that in case the respondents accept petitioner's claim, all consequential benefits will be granted to him within a period of twelve weeks. However, in the eventuality of the respondents rejecting the petitioner's claim, it will be open for the petitioner to seek legal recourse as permissible in law.

REKHA PALLI, J.

SHALINDER KAUR, J.

JULY 09, 2024/ss