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

+ **W.P.(C) 2309/2024**

SMT. MALLIPEDDI RAJA RAJESWARI Petitioner

Through: **Mr. A. K. Trivedi, Advocate**

versus

UNION OF INDIA & ANR. Respondents

Through: **Mr. Kirtiman Singh, CGSC with Mr. Waize Ali Noor, Mr. Virendra Pratap Singh and Mr. V. Rajawat, Advocates alongwith Major Partho Katyayan for UOI**

Mr. T. P. Singh, CGSC with R. Kushagra Kumar, GP and SI Amit Kumar, CISF

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

16.02.2024

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1. This petition has been filed with the following prayers:-

1. *Direct the respondents to grant one annual increment to the petitioner for the period from 01/07/2023 to 30/06/2024 as the petitioner is due to retire from service on 30th june,2024 in view of judgment passed by Hon'ble supreme court of India in the case of passed in civil appeal no.24 71/2023 dated 11/04/2023 titled as Director (Admin and HR) KPTCL and ORS VS CP MUNDINAMANI and ORS consequently fix the pension and other retirement benefits of the petitioner by taking into account the one Increment and the petitioner may be entitled for all consequential benefits accruing therefrom.*



(ii) Issue a writ of mandamus or any other writ /directions /orders as may be deemed just and proper in the facts and circumstances of the case.

(iii) Award cost Of Litigation.

2. Counsel for the petitioner submits that the petitioner is demitting the office on attaining the age of superannuation on June 30, 2024. He also submits that the petitioner shall be entitled to an increment having put in 12 months of service on July 1, 2024 keeping in view the judgment of the Supreme Court in ***Director (Admn. and HR) KPTCL and Others vs. G.P. Mundinamani and Others***, Civil Appeal No. 2471/2023 decided on April 11, 2023.

3. Learned counsel for the respondents submits that though the petition is premature as no cause of action has arisen as on date, the respondents shall consider the petition as a representation and decide the same keeping in view the law laid down by the Supreme Court and if the petitioner is eligible for grant of increment, then the same and also the pensionary benefits shall be granted accordingly.

4. Noting the above submission, the petition is disposed of.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

FEBRUARY 16, 2024/rr