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

+ **W.P.(C) 5257/2024**

PANKAJ MAHAJAN

..... Petitioner

Through: Mr. Abhay Kumar Bhargava, Mr.
Satyaarth Sinha and Ms. Anoushka
Bajpai, Advocates

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Virender Singh Charak, CGSC
with Mr. Raj Kumar Maurya, GP and
Ms. Shubhira Parashar, Advocates for
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CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

10.04.2024

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

“In the light of above-mention facts and circumstances, this Hon'ble Court may graciously be pleased to:

(i) Issue a Writ of Mandamus or any other appropriate writ, order or direction thereby directing the respondents to arrears of pay with a simple interest at 6% per annum in terms of the judgment of the Division Bench of this Court in W.P. (C) No. 4448/2016 titled as 'Vijayan V.V. vs. Union of India decided on 01.04.2019 and in terms of the refixed pay of the petitioner vide order dated 11.11.2022 was issued by the DIG (STAFF) FHQ BSF.

(ii) Pass any other order this Hon'ble Court may deem fit.”



2. In effect, the petitioner is seeking the benefit of the judgment in the case of *Vijayan V.V. vs. Union of India* in W.P. (C) No. 4448/2016 and connected matters decided on April 1, 2019, whereby in para 14, the Co-ordinate Bench of this Court granted the benefits of pay and arrears which were denied to the petitioner for delay in joining the place of posting at 61 Bn. BSF for administrative reasons.
3. Surely, the reasons not being attributable to the petitioner, the petitioner shall be entitled to the benefit of the judgment in the case of *Vijayan V.V.* (supra).
4. The learned counsel appearing for the respondents on instructions from the officer states that the benefit of the judgment in the case of *Vijayan V.V.* (supra) with regard to the arrears of pay with interest thereof shall be given to the petitioner within a period of four weeks. His submission is taken on record.
5. The petition is disposed of.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

APRIL 10, 2024/So..