



\$~65

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CM APPL. 5397/2024

IN

+ W.P.(C) 4237/2020

RAVENDRA PAL SINGH MALIK Petitioner

Through: Ms. Pragya Singh, Adv.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Dev P. Bhardwaj, CGSC with
Ms. Anubha Bhardwaj, Ms. Aditi
Singh, Mr. Dhruv Kothari and
Mr. Khushal Saini, Advs. for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

%

30.01.2024

CM APPL. 5397/2024

1. This is an application filed by the petitioner with the following prayers:-

“A. Allow the present application of the Applicant and dispose of the instant Writ Petition in terms of the judgement passed by the Apex Court in Civil Appeal No. 2471 of 2023 and affirm by the Hon’ble High Court of Delhi in Writ Petition Civil No. 1731 of 2020 .

B. Pass any other or further order(s)/direction(s) which this Hon’ble Court deems fit and proper and expedite in favour of the Applicant, in the interest of Justice.”

2. The petitioner is seeking the benefit of the judgment of the Supreme Court in the case of ***The Director (Admn. & HR) KPTCL & Ors. v. C.P.***



Mundinamani & Ors., Civil Appeal No. 2471/2023, decided on April 11, 2023. The counsel for the petitioner has also drawn our attention to paragraphs 4, 5 and 6 of the application to contend that this Court has also granted the benefits of the above judgment in different petitions. The benefit need to be given to the petitioner by passing a reasoned order.

3. Though, Mr. Dev P. Bhardwaj seeks time to take instructions, we are of the view that noting the limited prayer made by the petitioner and also the fact that the petitioner had superannuated on June 30, 2020, and is seeking grant of one notional increment w.e.f. July 1, 2020, the application/writ petition needs to be allowed by directing the respondents to consider the prayer of the petitioner for grant of benefit of the judgment of the Supreme Court in the case of ***The Director (Admn. & HR) KPTCL & Ors. (supra)***, for grant of one notional increment by passing speaking order within six weeks.

4. If the petitioner is entitled to the benefit of one notional increment, the same shall be granted w.e.f. July 01, 2020, within four weeks hereafter, but if the respondents are of the view that the petitioner is not entitled to the benefit, respondents must specify the reasons in the order and communicate the order to the petitioner within the said four weeks to enable the petitioner to challenge the same in accordance with law.

5. The date of February 29, 2024, stands cancelled.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 30, 2024/ds