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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5681/2024**

MAJOR RISHIKESH V & ORS.

..... Petitioners

Through: Mr. Tanvir Nayar, Ms. Shubhang
Sharma and Mr. Yagyesh Kumar,
Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Ms. Manisha Agrawal Narain, CGSC
with Ms. Khushi Mangla Advocate
Major Partho Katyayan for UOI.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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24.04.2024

CM APPL. 23477/2024 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

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

“(i) issue an appropriate writ or order or direction to implement the Recommendations with respect to the Short Service Commissioned Officers mentioned in Clause 6.2.62 and 6.2.63 of Chapter 6.2 read with Clause 17.17 of the Report of the 7th Central Pay Commission submitted on 19.11.2015, inter alia, granting Short Service Commissioned Officers (i) Fully funded (a) one year Executive Programme at premier management institute or (b) M. Tech Programme from premier technology institute; (ii) Terminal Gratuity i.e. Uniform 10.5 months of reckonable emoluments, for exit any time between seven years and ten years; (iii) SSC Officers should be allowed to exit at any time between seven years and ten years of service instead of the

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existing exit option at ten and fourteen years. The option for permanent commission should be allowed to be exercised in the seventh year, instead of the tenth year as it exists today; and

(ii) Issuance of an appropriate writ or order or direction to the Respondents to implement Professional Enhancement Training Leave (PETL) of 1 year/ 2 year respectively for officers exiting after 10/14 years of service respectively; and

(iii) a Writ of Mandamus or any other Writ or Direction or Order to the Respondent Nos. 2 to 6 to consider granting Short Service Commissioned Officers who are not given permanent commission to be eligible for lateral entry to Central Armed Police Forces (CAPF) and/or Defence PSUs, as proposed in Clause 6.2.52 (d), 6.2.119 and 6.2.134 of Chapter 6.2 of the Report of the 7th Central Pay Commission submitted on 19.11.2015.

(iv) pass such further or other orders which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in the interest of justice."

2. Though the counsel appearing for the respondents submits that prayers as sought by the petitioners are beyond the scope of judicial review, the respondents shall consider the petition as a representation on behalf of the petitioners and decide the same within four months and convey the decision to the petitioners. The statement is taken on record.

3. If the petitioners have any grievance against the order to be passed by the respondents, they can seek such remedy as available in law.

V. KAMESWAR RAO, J

RAJNISH BHATNAGAR, J

APRIL 24, 2024/ib

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