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

+ **W.P.(C) 9616/2024**

EX-CADET ARJUN BAKSHI

.....Petitioner

Through: **Mr. Baljeet Singh, Adv.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Ripu Daman Bhardwaj, CGSC
with Mr. Vadansh Anand, GP with
Major Anish Muralidhar, Army.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

16.07.2024

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CM APPL. 39463/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 9616/2020

3. The petitioner, who is an ex-cadet of the Technical Entry Scheme (in short "TES") has approached this Court seeking the following reliefs:-

"(i) Issue a writ of Certiorari by setting aside the letter no. A/ 63319/ RW/ GS/ MT-10/ 150/ 2019/ AG/ PS-4 (Imp-1) dated 19.03.2019 & 10.11.2020 and letter no.12681/GC/TES- 3241/T-3/MP 5(b) dated 10.06.2023 and PPO No. MDIS00182019 dated 19.06.2019, MDIS30152021 dated 24.02.2021 and 1432011900002 dated 25.07.2023 whereby the petitioner stands denied from the benefits of broad banding of Ex-gratia disability award.



(ii) Issue a writ in the nature of mandamus by directing the respondents to grant benefit of broad banding of Ex-gratia disability award @75% (50% to be rounded off to 75% for the period from 05.02.2019 to 04.02.2023) and @50% (20% to be rounded off to 50% with effect from 05.02.2023 for life) with all consequential benefits alongwith an interest @12% p.a.”

4. Learned counsel for the petitioner submits that this Court, in a number of decision including W.P.(C) 6466/2014 and W.P.(C) 7898/2018, has already held that cadets of the various training institutes of the Indian Army would also be entitled to the benefit of broad banding of disability award/element has already been settled by this Court for which purpose he draws our attention to the decisions of two Co-ordinate Benches in W.P.(C) 6466/2014 and W.P.(C) 7898/2018.

5. Issue notice.

6. Mr. Ripu Daman Bhardwaj, learned counsel accepts notice on behalf of respondents and fairly submits that the respondents will consider the petitioner's case in terms of the aforesaid decisions of this Court.

7. In the light of this stand taken by the respondents, the petition is disposed of by directing the respondents to decide the petitioner's claim as raised in the present petition within a period of eight weeks by passing a reasoned and speaking order. Needless to state while deciding the petitioner's claim, the respondents will follow the ratio laid down in the aforesaid two decisions of this Court.

8. It is, however, made clear that in case the petitioner is aggrieved by any order passed by the respondents, it will be open for him to seek legal recourse as permissible in law. In the eventuality, the respondents find merit in the petitioner's claim, they will ensure that all consequential benefits are



released in his favour within eight weeks from the date of the decision.

9. In view of the aforesaid, petition stands disposed of.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 16, 2024

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