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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 14066/2023 & CM APPL. 64057/2023 –Stay.

UNION OF INDIA

..... Petitioner

Through: Mr.Balendu Shekhar, CGSC with
Mr.Sandeep Tyagi, SPC with Mr. Raj Kumar
Maurya and Mr. Krishna Chaitanya, Advs.

versus

KRISHAN KUMAR VERMA

..... Respondent

Through: Mr.A.K.Trivedi, Mr.Vaibhav Trivedi
& Mr.Dhruv Kothari, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

28.05.2024

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1. The present writ petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 10.03.2023 passed by the learned Central Administrative Tribunal (Tribunal) in OA No.3653/2017. Vide the impugned order, the learned Tribunal has allowed the original application(OA) filed by the respondent by directing the petitioner to step up the pay of the respondent under Fundamental Rule 22 by bringing the same at par with his immediate juniors namely Mr.Ravi Prakash Sinha & Mr.Krishan Chand Vats and consequently refix all his retiral benefits, including pension.
2. On the last date, in view of the stand taken by the learned counsel for the respondent that the issue raised in the present petition was covered



against the petitioner by a decision of the Apex Court in “*Union of India v. C.R. Madhava Murthy*” (2022) 6 SCC 183, time was granted to learned counsel for the petitioner to examine the said decision and make submissions.

3. Today, he does not deny that the very same issue raised in the present petition has been decided against the petitioner by a recent decision of the Apex Court in in *C.R. Madhava Murthy* (supra).
4. In the light of the aforesaid, once the issue raised by the petitioner already stands decided by the Apex Court in *C.R. Madhava Murthy* (supra), we find absolutely no reason to interfere with the impugned order.
5. The writ petition is, accordingly dismissed.
6. As prayed for, the petitioner is granted eight weeks time to implement the impugned order.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 28, 2024

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