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

+ **W.P.(C) 72/2024**

CHANDER MOHAN BAKSHI

..... Petitioner

Through: Mr. A.K. Trivedi, Adv. and
Ms. Prathana, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through: Mr. Farman Ali, Sr. PC with
Ms. Vidhi Gupta, GP with
Ms. Usha Jamnal, Adv. for UOI

AND

+ **W.P.(C) 98/2024**

HARBHAJAN SINGH

..... Petitioner

Through: Mr. A.K. Trivedi, Adv. and
Ms. Prathana, Adv.

versus

UOI & ORS

..... Respondents

Through: Mr. Farman Ali, Sr. PC with
Ms. Vsha Jamnal and
Mr. Krishan Kumar, Adv. for UOI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

04.01.2024

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1. These petitions have been filed by the petitioner(s) with the following prayers:

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“In view of the facts and circumstances stated above the



petitioners most respectfully prays that this Hon'ble Court may graciously be pleased to:

- (i) Direct the respondents to grant one notional increment to the petitioners as the petitioner retired on 30th June, 2009 for the purpose of pensionary benefits in view of judgment passed by Hon'ble Supreme Court of India in the case of passed in Civil Appeal no.2471/2023 Titled as Director (Admin and HR) KPTCL and Ors Vs CP Mundinamani and Ors consequently the petitioners may be entitled for re-fixation of their pension with all pensionary benefits alongwith arrears with interest.*
- (ii) Issue a writ of mandamus or any other writ /directions /orders as may be deemed just and proper in the facts and circumstances of the case.*
- (iii) Award cost Of Litigation.”*

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“In view of the facts and circumstances stated above the petitioners most respectfully prays that this Hon 'ble Court may graciously be pleased to:

- (i) Quash and set aside the Impugned order dated 25/08/2022 declaring as illegal, arbitrary and against the judicial pronouncement on the subject.*
- (ii) Direct the respondents to grant one notional increment to the petitioner as the petitioner retired on 30th June, 2007 for the purpose of pensionary benefits in view of judgment passed by Hon'ble Supreme Court of India in the case of passed in Civil Appeal no.247112023 Titled as Director (Admin and HR) KPTCL and Ors V s CP Mundinamani and Ors consequently the petitioners may be entitled for re-fixation of their pension with all pensionary benefits alongwith arrears with interest.*
- (iii) Issue a writ of mandamus or any other writ /directions /orders as may be deemed just and proper in the facts and circumstances of the case.*
- (iv) Award cost of Litigation.”*



2. In effect, the petitioners are seeking one notional increment in view of the judgment of the Supreme Court in the case of *Director (Admn. and HR) KPTCL and Others v. C.P. Mundinamani and Others, 2023 SCC OnLine SC 401*.
3. Learned counsel for the respondents appears on advance notice.
4. Having heard the learned counsel for the parties, we deem it appropriate to dispose of the writ petitions directing the respondents to consider the writ petitions as representation(s) on behalf of the petitioners and dispose of the same by considering the judgment of the Supreme Court as referred to above within eight weeks from today. If the respondents are of the view that the petitioners are entitled to the benefit(s) as has been granted by the Supreme Court, the same shall be granted to them within six weeks thereafter.
5. The writ petitions are disposed of.

V. KAMESWAR RAO, J

SAURABH BANERJEE, J

JANUARY 4, 2024/aky