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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 12545/2024

JAGYA SADHAN JAMATIA AND ORS

.....Petitioners

Through: Mr.Mananjay Kumar Mishra,
Mr.Ganesh Kumar Bhatt & Mr.Bhanu Raj, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr.Shashank Dixit, CGSC with
Mr.Aakash Meena, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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06.09.2024

CM APPL. 52190/2024 & CM APPL. 52191/2024

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. The petitioners, who are serving in the Border Security Force (BSF) as Constables, have approached this Court seeking a direction to the respondents to treat them as members of the Pension Scheme under the Central Civil Services (Pension) Rules, commonly known as the 'Old Pension Scheme' (OPS).
4. By drawing our attention to "Annexure P-4 (colly)", learned counsel for the petitioners submits that the batchmates of the petitioners, appointed pursuant to the same advertisement which was issued only for candidates from disturbed areas of the State of Tripura, have



already been covered under the OPS.

5. After some arguments, he submits that since the petitioners have approached this Court without moving a representation to the respondents, they may be granted liberty to make a representation to the respondents through counsel, with directions to the respondents to decide the same in a time bound manner.
6. Issue notice. Learned counsel for the respondents accepts notice and has no objection to this limited request.
7. In the light of the aforesaid stand taken by the parties, the writ petition is disposed of as not pressed with liberty to the petitioners to move, within four weeks, a representation to the respondents through counsel, seeking the same reliefs as sought in the present petition. Further, the respondents are directed to dispose of the same within a period of eight weeks by passing a reasoned and speaking order from the date of receipt of the said representation.
8. Needless to state, in case, the petitioners are still aggrieved, it will be open for them to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

SEPTEMBER 6, 2024

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