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

+ **W.P.(C) 12872/2024**

NAGENDER SINGH

.....Petitioner

Through: **Ms. Saahila Lamba, Adv.**

versus

UNION OF INDIA & ORS.

.....Respondents

Through: **Mr. Amit Gupta, SPC with Mr. Vidhur Dwivedi and Mr. Shakir Shabir, Advs. for UOI.**
Mr. Hemendra Singh, DC, Law, BSF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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13.09.2024

1. By way of the present petition under Article 226 of the Constitution of India, the petitioner, who is serving as an Assistant Commandant in Border Security Force (BSF), has approached this Court seeking the following reliefs:

“(i) Issue a writ of Mandamus directing the respondents to reckon date of assumption of charge by petitioner to the post of Sub Inspector (Ministerial) with effect from 21.05.1999 (date of promotion of petitioner to post of Sub- Inspector (Ministerial) and consequently grant one increment on 01.01.2006 in the pre-revised pay scale and thereafter next increment in the revised pay structure on 01.07.2006 in terms of paragraph 3 of office memorandum dated 19.03.2012 and other consequential benefits;

(ii) Pass any such other order as it may deem fit to this Hon’ble Court in the facts and circumstances of the case.”



2. After some arguments, learned counsel for the petitioner submits that for the present, the petitioner would be satisfied in case the respondents are directed to consider the petitioner's case in the light of this Court's decision dated 01.04.2019 in WP(C) No. 4448/2016 titled as "***Vijayan V V vs. Union of India & Ors.***".

3. Learned counsel for the respondents has no objection to this limited request.

4. The writ petition is, accordingly, disposed of by directing the respondents to treat the present petition as a representation and dispose of the same by passing a reasoned and speaking order within a period of twelve weeks.

5. Needless to state, since this Court has not expressed any opinion on the merits of the petitioner's claims, in case, the petitioner is aggrieved by any order passed by the respondents, it will be open for him to seek legal redressal as permissible in law.

REKHA PALLI, J

SACHIN DATTA, J

SEPTEMBER 13, 2024/ss