



2024:DHC:7696-DB



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

Date of decision: 04.10.2024

+ W.P.(C) 13946/2024
SHRI BIPINCHANDRA JAGLAWALA

.....Petitioner

Through: Mr.Pramod Kumar Tiwari &
Mr.Anil Kr. Sinha, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr.Himanshu Pathak, SPC with
Mr.Yash Tyagi, GP & Mr.Amit
Singh, Adv. along with Mr.Raj
Kumar, AC/CISF & Mr.Amit
Kumar, SI/CISF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 58376/2024 (Exemption)

1. Allowed, subject to all just exceptions.

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2. The petitioner has approached this Court under Article 226 of the Constitution of India, seeking a direction to the respondents to grant him his due increments in light of the decision of the Supreme Court in *Director (Admn. & HR) KPTCL & Ors. versus C.P.Mundinamani & Ors.* 2023 SCC OnLine SC 401.

3. The learned counsel for the petitioner submits that for the present, the petitioner will be satisfied, in case the respondents are



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directed to examine his claims in light of the decision of the Supreme Court in ***Director (Admn. & HR) KPTCL & Ors.*** (supra) in a time-bound manner.

4. Issue notice.

5. Notice is accepted by Mr.Himanshu Pathak, learned counsel on behalf of the respondents. He has no objection if the present petition is disposed of by directing the respondents to take a final decision regarding the petitioner's claim in a time-bound manner.

6. In light of this fair stand taken by the respondents, the writ petition is disposed of by directing the respondents to consider the petitioner's claim, as raised in the present petition, within a period of eight weeks from today and pass a reasoned and speaking order *qua* the petitioner.

7. Needless to state, while taking a decision on the petitioner's claim, the respondents will take into account the decision dated 11.04.2023 of the Supreme Court in ***Director (Admn. & HR) KPTCL & Ors.*** (supra) read with the clarificatory order passed by the Supreme Court in S.L.P. (C) 4722/2021 on 06.09.2024. It is further 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.

NAVIN CHAWLA, J

SHALINDER KAUR, J

OCTOBER 4, 2024/rv/DG

[Click here to check corrigendum, if any](#)