



2024:DHC:8065-DB



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

Date of decision: 18.10.2024

+ W.P.(C) 14563/2024
DEEN BANDHU SHARMA

.....Petitioner

Through: Mr.Sahil Chandra &
Ms.Ananya Singh, Advs.

versus

UNION OF INDIA THROUGH THE SECRETARY,
MINISTRY OF HOME AFFAIRS & ORS.

.....Respondents

Through: Ms.Abha Malhotra, SCGC with
Ms.Amrita Sony, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (Oral)

CM APPL. 61080/2024 (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 directed to examine his claims in light of the decision of the Supreme



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Court in ***Director (Admn. & HR) KPTCL & Ors.*** (supra) in a time-bound manner.

4. Issue notice.

5. Notice is accepted by Ms. Abha Malhotra, learned counsel on behalf of the respondents. She 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 18, 2024/rv/DG

Click here to check corrigendum, if any