



2024:DHC:8226-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of decision: 23.10.2024*

+ W.P.(C) 14892/2024

GIRISH CHANDRA JOSHIPetitioner

Through: Mr. P. Sureshan, Adv.

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. Amit Gupta, SPC with Mr.
Vidhur Dwivedi, Adv.AC Raj Kumar, SI Amit
Kumar, SI P. Devenda & HC
Solanki Sachin, CISF.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 62456/2024 (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 increment 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 claim 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. Amit Gupta, 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 23, 2024/ab/sk