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

+ W.P.(C) 15611/2024 and CM. APPL. APPL. 65512/2024

RAJENDER SINGH PHARTIYAL

.....Petitioner

Through: Ms. Aastha Gupta and Mr. S.R. Lalondiki, Advocates.

versus

DISTRICT & SESSIONS JUDGE

.....Respondent

Through: Mrs. Avnish Ahlawat, Standing Counsel, GNCTD, Services with Mr. Nitesh Kumar Singh, Ms. Laavanya Kaushik, Ms. Aliza Alam and Mr. Mohnish Sehrawat, Advocates.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

08.11.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Article 226 and 227 of the Constitution of India, seeking the following reliefs:

“A. To Direct the Respondents to grant financial upgradation with Grade Pay of Rs.5400/- w.e.f. 22.10.2011, and

B. To Direct the Respondents to grant the benefit of 3rd MACP w.e.f. 02.03.2019, and

C. To Direct the Respondent to grant the pay band of Rs.15600-39100 PB-III with Grade Pay of Rs.6600/-, and

D. To Direct the respondent to recalculate and disburse his pension, retirement and consequential benefits along with interest of 18% compounded p.a.”

E. And/Or any other relief that this Hon'ble Court deems fit in the Interest of Justice.”

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2. Mrs. Avnish Ahlawat, learned Standing Counsel appearing on behalf of the Respondent on advance copy of the writ petition submits that the representation of the petitioner was rejected vide order dated 06.12.2021 holding that the petitioner was declared unfit by the Screening Committee for grant of MACP, but the order has not been challenged and there are no grounds in the writ petition assailing the said order.
3. At this stage, learned counsel appearing on behalf of the Petitioner on instructions seeks to withdraw this writ petition to file a fresh writ petition with better particulars on the same cause of action as also laying a challenge to the order dated 06.12.2021.
4. The writ petition is disposed of as withdrawn with liberty as prayed for. Pending application also stands disposed of.

JYOTI SINGH, J

NOVEMBER 8, 2024/jg

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