



2024:DHC:9429-DB



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

Date of decision: 04.12.2024

+ W.P.(C) 16722/2024

SHRI SHIV KUMAR

.....Petitioner

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

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Iram Majid CGSC with
Mohd Suboor, Adv. alongwith
HC Solanki Sachin –CISF.
AC Raj Kumar-CISF.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 70720/2024 (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



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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. Iram Majid, 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

DECEMBER 4, 2024/ab/sk/SJ

Click here to check corrigendum, if any