



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.34566 of 2013

G.Vijayakumar

... Petitioner

Vs.

1.Union of India

Represented by its Secretary to the Government,
Department of Home Affairs, New Delhi.

2.The Director General,

CISF Head Quarters,
No.13, C.G.O. Complex,
Lodhi Road, New Delhi – 110 003.

3.The Inspector General,

CISF Head Quarters Western Sector
CISF Complex Taloja
Kharghar Navi Mumbai – 410 210

4.The Deputy Inspector General

CISF Complex Western Zone Head Quarters
Section – 35, Karghar Navi,
Mumbai-410 210.

5.The Group Commandant

CISF Group Head Quarters
No.F/8, Awani Plaza Vastrapur
Premchand Nagar Road,
Ahmedabad – 380 015.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of certiorarified Mandamus to call for the records relating to the order passed by the 2nd respondent in his letter No. V-11014/76/L&R/2013-3277 dated 11.10.2013 and quash the same and to direct the respondents to pay back wages, increments and promotion from 10.05.2001 to 30.01.2010.

For Petitioner : Mr.A.S.Mujibur Rahman

For Respondents : Mr.R.T.L.Chandar
Senior Panel Counsel
Central Govt. Standing Counsel

ORDER

This writ petition has been filed seeking a writ of certiorarified mandamus to call for the records relating to the order passed by the 2nd respondent vide Letter No. V-11014/76/L&R/2013-3277 dated 11.10.2013.

2. Through the said letter, the 2nd respondent rejected the claim made by the petitioner for payment of backwages for the period commencing from 26.05.2001 to 30.01.2010 on the ground that the said period was treated as “Dies-Non” under Rule 55 of CISF Rules 2001, by an order dated 30.03.2011, and the said order was also confirmed by appellate and revisional authorities by orders dated 24.06.2011 and 13.10.2011 respectively.



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3. Now it is brought to the notice of this Court that the petitioner has already filed W.P.No.25906 of 2013 challenging the said order dated 30.03.2011 treating the period in question as “Dies-Non”. If that be the case, the claim of the petitioner in the present writ petition seeking for payment of backwages for the said period is nothing but duplication. If at all, the petitioner is entitled for backwages for the said period, it is left open for the petitioner to pursue the same in W.P.No.25906 of 2013. Unless and until the orders treating the said period as “Dies-Non” are questioned and set aside by this Court, the question of payment of backwages does not arise. As the petitioner has already challenged the order dated 30.03.2011 in W.P.No.25906 of 2013 and this writ petition cannot be entertained for the very same relief.

4. Accordingly, this writ petition is dismissed. However, it is left open for the petitioner to pursue his claim for backwages in W.P.No.25906 of 2013. No costs.

05.06.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No



W.P.No.34566 of



MUMMINENI SUDHEER KUMAR, J.

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To

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