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

+ **W.P.(C) 2641/2024**

HISAMUDDIN

.....Petitioner

Through: Mr. Akbar Siddique, Md. Osama,
Md. Farman Ashraf and Mr. Abdul
Ahad, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
& ANR.**

.....Respondents

Through: Ms. Archana Sharma, SPC with
Mr. Divakar Upadhyaya, Advocate
for UOI.
Ms. Sanam Tripathi, ASC for
MCD.
Mr. Shashank Bajpai, CGSC with
Ms. Stuti Karwal, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.05.2025

1. The petitioner was an employee of the Municipal Corporation of Delhi ["MCD"]. He retired from service on 30.06.2016. He has filed this petition, under Article 226 of the Constitution, challenging an Executive Circular dated 18.01.2024 issued by the Comptroller and Auditor General of India, which states that the benefit of one annual increment, for employees retiring on 30th June or 31st December, would be available only to those employees who have retired after 11.04.2023, being the date of the judgment of the Supreme Court in *KPTCL v. C.P. Mundinamani*, [(2023) 14 SCC 411].



2. The issue has since been clarified in the petitioner's favour by a subsequent order of the Supreme Court in *Union of India & Anr. v. M. Siddaraj*, [Civil Appeal No. 3933/2023, delivered on 20.02.2025].
3. Mr. Akbar Siddique, learned counsel for the petitioner, relies upon the aforesaid judgment and order to submit that he is entitled to the benefit of one notional increment in respect of the pension payable to him on or after 01.05.2023.
4. Pursuant to the earlier orders of the Court, MCD has filed a status report dated 21.05.2025, in which the aforesaid interpretation is undisputed, as is the applicability of this benefit to the petitioner herein. The interim order dated 06.09.2024 in *M. Siddaraj [Supra]* has been quoted in the status report to the effect that the petitioner would fall in Clause (a) of the said Order, which supports the contention made by the petitioner herein.
5. MCD has also drawn the Court's attention to an Office Memorandum issued by Department of Personnel and Training on 20.05.2025, to implement the judgment and the order of the Supreme Court.
6. Having regard to this position, the writ petition is disposed of, with the direction that the petitioner will be entitled to one notional increment, in respect of pension payable to him on or after 01.05.2023.
7. Arrears, as necessary, be released to the petitioner within a period of three months from today.

PRATEEK JALAN, J

MAY 23, 2025/SS/JM/