



2025:DHC:10571



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

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Date of decision: 27.11.2025

+ **W.P.(C) 9772/2019**

SUNIL AHUJA & ORS

.....Petitioners

Through: Mr. Ankur Chhibber, Adv.

versus

DISTRICT & SESSIONS JUDGE (HQS) & ORSRespondents

Through: Mrs. Avnish Ahlawat, SC with
Mr. Nitesh Kumar Singh, Ms.
Aliza Alam & Mr. Mohnish
Sehrawat, Advs.

CORAM:

HON'BLE MR. JUSTICE AVNEESH JHINGAN

AVNEESH JHINGAN, J. (ORAL)

1. This petition is filed seeking quashing of the Minutes of Meeting dated 01.05.2018, 30.07.2018 and 19.09.2018, whereby the request of the petitioners for grant of three advance increments from the date of acquiring the qualification of an LL.M. degree was rejected. Grievance raised is that on acquiring a higher qualification the petitioners are entitled to three advance increments and not a lump-sum amount.

2. The petitioners are employees of the Delhi District Courts and are working as Senior Personal Assistant, Senior Judicial Assistant, Personal Assistant, Judicial Assistant and Junior Judicial Assistant. The petitioners and the employees of the High Court are governed by the Fundamental Rules and Supplementary Rules (for short 'FRSR').



As per FRSR Rule 27 Explanation 16, employees on acquiring a higher qualification are entitled to a lump-sum amount subject to the fulfillment of the conditions mentioned therein.

3. The case of the petitioners is that they are at parity with the employees of the High Court as well as the Supreme Court to whom despite the FRSR Rule 27 Explanation 16, three advance increments were granted on acquiring a higher qualification of LL.M degree.

4. The backdrop is that in the year 2010 on a representation given by the then Registrar of the High Court, a decision was taken on the administrative side to grant three advance increments on acquiring an LL.M. degree. The petitioners filed a representation on 30.01.2018 seeking three advance increments on acquiring LL.M. degree relying upon the decision taken by the High Court extending the benefit to the Registrar. The representation was rejected by order dated 16.08.2018 by the committee constituted to deal with the representation and it was decided that a lump-sum amount of Rs.25,000/- shall be paid to the petitioners.

5. The reliance is placed by learned counsel for the petitioners on office order dated 21.03.2018, whereby the benefit of three advance increments was extended to all the officers/officials of the High Court and on a decision dated 24.05.2023 where similar benefit was extended in the Supreme Court.

5.1 The argument is that the employees of the Delhi District Courts are at par with the employees of the High Court in discharging similar duties and the committee erred in holding that acquiring an LL.M. degree will not help them in discharging of higher official work.



5.2 Learned counsel for the petitioners submits that the judgment in W.P.(C) No. 484/1988 dated 02.05.2008 titled **Mirza Zahid Beg & Ors. v. Union of India & Ors.** was relied solely to establish parity between the employees of the High Court and the Delhi District Courts. The committee erred in ignoring this and distinguishing the case on ground that it dealt with the issue of pay scales.

6. Learned counsel for the respondents defends the impugned order and submits that neither under the FRSR nor in Delhi District Courts Establishment (Appointment & Conditions of Service) Rules, 2012, there is a provision for giving three advance increments to an employee on acquiring an LL.M. degree.

7. Before proceeding further, it would be relevant to note office order dated 21.03.2018.

“No.287/Estt, I/E-2/DHC
Date 21.03.2018

OFFICE ORDER

“Hon'ble the Acting Chief Justice has been pleased to grant three advance increments to the officers/officials at this Court on acquiring post graduation degree in Law (LLM) with effect from the date of their acquiring the said qualification.

The said benefit of three advance increments shall be extended to them also (i) in the higher pay-scale of promotional post, (ii) when placed in a revised pay-scale, and (iii) when granted financial up-graduation, so as to avoid financial loss to them.

Sd/-
(Yash Pal)
Officer on Special Duty”



8. The pin pointed issue involved is that in spite of the FRSR Rule 27 Explanation 16 and there being no provision in the Delhi High Court Establishment (Appointment and Conditions of Service) Rules, 1972 for giving three advance increments on acquiring an LL.M. degree, yet the benefit of three advance increments on acquiring an LL.M. degree was extended to the officers and officials of the High Court and the Supreme Court and there is a disparity vis-a-vis the employees of the Delhi District Courts who are otherwise at parity with the employees of the High Court.

9. The committee while considering the representation was not having the benefit of the decision dated 21.03.2018 taken by the High Court on the administrative side to extend the benefit of three advance increments to the officers/officials of the High Court on acquiring an LL.M. degree. The decision of the Supreme Court dated 24.05.2023 extending similar benefit to the officers/officials of the Supreme Court was also not before the committee.

10. The reliance of the petitioners on the decision in the case of **Mirza Zahid Beg** (supra) was only to substantiate that there is no dispute on the parity between the officials of the Delhi District Courts and the High Court so far as discharge of duties is concerned.

11. The writ petition is disposed of by remitting the matter back to the committee to take a fresh decision taking into account the developments which were not noticed in the earlier decision.

12. Expeditious disposal by the committee shall be appreciated.

13. Needless to say that the petitioners shall be at liberty to avail



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remedy in accordance with law if aggrieved by the decision.

AVNEESH JHINGAN, J.

NOVEMBER 27, 2025

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Reportable:- Yes

Signature Not Verified

Signed By:AWANISHW.P.(C) 9772/2019
CHANDRA MISHRA
Signing Date:29.11.2025
16:32:31

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