



2025:DHC:1684-DB



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

Date of decision: 10.03.2025

+ **W.P.(C) 15612/2022, CM APPL. 48607/2022**

TULSI RAM

.....Petitioner

Through: **Mr. Ankur Chhibber and
Mr. Nikunj Arora, Advs**

versus

UNION OF INDIA AND ORS

.....Respondents

Through: **Mr. Akshay Amritanshu, SPC
with Mr. Ajay Pal, Legal
Officer
SI/GD Shiv Kr. Singam, CRPF.**

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MR. JUSTICE MANOJ JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioner, challenging the Order dated 04.08.2022 issued by the Office of the Deputy Inspector General of Police, Group Centre, CRPF, Kathgodam, Nanital (Uttarakhand), by which the date of grant of the 1st ACP, the 2nd ACP, and the 3rd MACP to the petitioner has been revised taking into account the date of his transfer to the post of Constable/Driver as opposed to the date of his initial appointment. The petitioner further challenges the Order dated 01.09.2022 issued by the same authority, directing recovery of Rs. 15,77,593/- from the petitioner with an amount of Rs. 50,000/- to be recovered from his salary for the month of August and September 2022 at the rate of Rs. 25,000/- each month,



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and the remaining amount to be recovered from the other retiral benefits of the petitioner.

2. In the counter-affidavit, the respondents have now admitted that the re-fixation of the pay for the grant of the 1st ACP, 2nd ACP, and the 3rd MACP to the petitioner were wrongly antedated by the Impugned Order dated 04.08.2022. They have submitted that *vide* the Order dated 03.12.2022, the petitioner's pay has been revised taking his date of initial appointment as constable/GD, that is, 30.04.1982, as the relevant date for the grant of the ACP and the MACP benefits. A revised Pension Payment Order dated 16.01.2023 has also been issued.

3. The learned counsel for the petitioner submits that by this Order, the pension of the petitioner has been rightly fixed/revised. The only grievance that is left of the petitioner is that the petitioner apprehends that in terms of the Order dated 01.09.2022, further recovery may still be made from the petitioner. He states that any amount that has been recovered from the petitioner in pursuance of the said Order, be directed to be refunded back to the petitioner.

4. As far as future recoveries are concerned, this Court *vide* the Interim Order dated 14.11.2022, has granted an Interim Order in favour of the petitioner, restraining the respondents from making further recovery. He prays that the said Order be made absolute.

5. The learned counsel for the respondents reiterates that on the discrepancy being found, the Pension Payment Order for the petitioner has been revised taking the date of his appointment as 30.04.1982 for the benefit of the 1st ACP, 2nd ACP, and the 3rd MACP.



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6. As the respondents have themselves rectified the error and refixed the Pension Payment Order, the Impugned Orders dated 04.08.2022 and 01.09.2022 can no longer survive, and are hereby quashed.

7. It is further ordered that any recovery made from the petitioner pursuant to the Order dated 01.09.2022, shall be refunded to the petitioner within a period of 8 weeks from today along with interest at the rate of 6 per cent per annum.

8. With the above directions, the petition alongwith the pending application is disposed of.

NAVIN CHAWLA, J

MANOJ JAIN, J

MARCH 10, 2025/ab/IK

[Click here to check corrigendum, if any](#)