



2025:DHC:11846-DB



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

+ **W.P.(C) 19484/2025**

ATUL CHANDRAKANT DANDEKAR & ORS.Petitioner
Through: **Mr. Himanshu Gautam, Adv.**

versus

UNION OF INDIA & ORS.Respondents
Through: **Mr. Rohan Jaitley, CGSC, Mr. Akshay Sharma, GP and Mr. Dev Pratap Shahi, Mr. Varun Pratap Singh, Mr. Yogya Bhatia, Advs.**

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

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22.12.2025

C. HARI SHANKAR, J

1. The petitioners in this case are officers of the Indian Coast Guard who superannuated at the age of 57 years.

2. The prayer in this writ petition is for continuation in service till the age of 60 years.

3. Learned Counsel for both sides are *ad idem* that the issue is covered by the judgment of this Court in ***Cheeli J Ratnam v. Union of India***¹. However, learned Counsel for the respondents, submits that

¹ 2025 SCC OnLine Del 8573



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the petitioner in *Cheeli J Ratnam* was in service when the order was passed, whereas in this case, the petitioners stands superannuated on different dates.

4. That cannot make a difference to the applicability of the judgment as the petitioners would be entitled to continue in service till 60.

5. Accordingly, the petitioners are directed to be reinstated in service. However, the salary and other benefits to which the petitioners would be entitled consequent on reinstatement would be conditional on the petitioners, in the first instance, returning all the retiral benefits which have been paid to them.

6. Mr. Himanshu Gautam, learned Counsel for the petitioners, on behalf of his clients, undertakes that the necessary payment would be made by petitioners to the respondents within eight weeks.

7. Thereupon, the petitioners would be entitled to continue in service till the age of 60 with all consequential benefits.

8. The writ petition stands allowed accordingly.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

DECEMBER 22, 2025/rjd