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

+ **CONT.CAS(C) 325/2025**

LT COL R K PUROHIT

.....Petitioner

Through: Mr. Sushil Kumar Sharma, Mr.
Virender Kumar, Mr. A. Sarkar,
Adv.

versus

MS RACHNA SHAH & ANR.

.....Respondents

Through: Mr. Sushil Kumar Pandey (SPC)
along with Mr. Aman Kumar Pandey,
Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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11.03.2026

1. The present petition has been filed by the petitioner alleging wilful disobedience/non-compliance of the directions contained in the order dated 02.08.2024 passed by this Court in W.P.(C) 10700/2024. The said order reads as under:-

1. The petitioners have approached this Court under Article 226 of the Constitution of India seeking a direction to the respondents to grant them their due increments in the light of the decision of the Apex Court in *Director (Admn. & HR) KPTCL & Ors. versus C.P.Mundinamani & Ors.* [Civil Appeal No.2471/2023].
2. Learned counsel for the petitioner submits that for the present, the petitioner will be satisfied. in case, the respondents are directed to examine their claims in the light of the decision of the Apex Court in *Director (Admn. & HR) KPTCL & Ors. (supra)* in a time bound manner.
3. Issue notice. Learned counsel for the respondents accepts notice and submits that since the claim of the petitioner is already under active consideration of the respondents, he has no objection if the petition is



disposed of by directing the respondents to take a final decision in this regard in a time bound manner.

4. In the light of this fair stand taken by the respondents, the writ petition is disposed of by directing the respondents to consider the petitioner's claims as raised in the present petition within a period of eight weeks from today by passing reasoned and speaking orders qua each of the petitioners.
5. Needless to state while taking a decision on the petitioner's claims, the respondents will, take into account the decision of the Apex Court in *Director (Admn. & HR) KPTCL & Ors. (supra)*. It is further made clear that, in case, the petitioners are aggrieved by any order passed by the respondents, it will be open for them to seek legal course as permissible in law.

2. It transpires that on 29.11.2024, the claim of the petitioner was rejected by way of somewhat cryptic communication which reads as under:-

CONFIDENTIAL

GRANT OF NOTIONAL INCREMENT FOR PENSIONARY BENEFITS

1. Refer Hon'ble High Court of Delhi Order dated 02 Aug 2024, DoP&T OM dated 14 Oct 2024 and this office letter No 20421/HQ SFF/1004/03/MS/1135 dated 07 Nov 2024.
2. In compliance to Hon'ble High Court of Delhi Order dated 02 Aug 2024 & DoP&T OM dated 14 Oct 2024, Form 7 for revision of pension by granting one notional increment was forwarded to DACS on 23 Oct 2024.
3. In response to the same DACS has informed that the officer was already drawing pay equal to the maximum of the Pay Scale Matrix in Level 12 (i.e Rs 209200/-) at the time of superannuation i.e, on 30 Jun 2020. It is further informed that the DoP&T OM dated 14 Oct 2024, has no provision for grant of notional increment on 1st Jul / 1st Jan, in cases where officer were already drawing pay equal to the maximum of the pay matrix, just as the officer would not have drawn an increment even if he had been in service, no notional increment would be due to him.
4. Therefore, grant of one notional increment for the purpose of calculation of pension in respect of Lt Col R K Purohit (Retd), Ex Jt Dy Director is not accorded to.

3. Pursuant thereto, the petitioner gave a representation to the Office of



the IG, SFF, East Block-V, Level-IV, R.K. Puram, New Delhi-110066.

4. Given the circumstances, the Office of the IG, SFF, East Block-V, Level-IV, R.K. Puram, New Delhi-110066, is directed to grant a hearing to the petitioner and take a decision as to whether the petitioner is entitled to the grant of notional increment for pensionary benefits. Let a fresh order be passed by the Office of the IG, SFF, taking into account the contentions of the petitioner and the relevant rules and regulations in this regard. Let the aforesaid exercise be completed within a period of eight weeks from today.
5. Needless to say, if the petitioner is aggrieved therewith, he shall be at liberty to take recourse to independent proceedings in accordance with law.
6. The petition is disposed of in the above terms.

SACHIN DATTA, J

MARCH 11, 2026/uk