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

\+ W.P.(C) 4691/2026 & CM APPL. 22949/2026

PRAKASH CHAND & ORS. .....Petitioners

Through: Mr. Mukesh M. Goel and Mr. S.P. Dubey, Advocates.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD .....Respondent

Through: Mr. Anuj Chaturvedi, Ms. Richa Dhawan and Ms. Yashita Jain, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **09.04.2026**

1. The Petitioners who were serving Delhi Urban Shelter Improvement Board ("DUSIB"), who retired on 30th June of the respective years between 2009 and 2022. Their service particulars are annexed as Annexure P-1.

2. It is the case of the Petitioners that on the date of their retirement, they had completed the requisite qualifying service for earning annual increment, which was due to accrue on the following day. However, the said increment was denied to them on the ground that they were not in service on the date of accrual, having retired a day earlier.

3. The aforesaid issue stands settled by the Supreme Court in ***The Director (Admn. and HR) KPTCL & Ors. v. C.P. Mundinamani & Ors.***,[1] wherein it has been held that an employee who has completed the qualifying

[1] (2023) 14 SCC 411.

period of service is entitled to the benefit of annual increment, notwithstanding the fact that the date of accrual falls immediately after retirement.

4. It is further pointed out that an identical issue came up before this Court in *W.P.(C) 12854/2025*, wherein, by order dated 24th September, 2025, relief was granted to similarly situated petitioners by placing reliance on the judgments of the Supreme Court in ***C.P. Mundinamani*** and ***Union of India v. M. Siddaraj***.[2] The Respondent was directed to examine the factual entitlement of the petitioners therein and to release consequential benefits.

5. The present Petitioners are admittedly similarly situated. It is also not in dispute that the Respondent has implemented the aforesaid judgment dated 24th September, 2025. The Respondent's right to verify factual entitlement has already been preserved in the said judgment. In such circumstances, this Court finds no justification to deny similar relief to the Petitioners herein.

6. At this stage, Mr. Anuj Chaturvedi, counsel for the Respondent, submits that the factual entitlement of each Petitioner is yet to be examined by DUSIB. Accordingly, DUSIB is permitted to undertake this exercise. In the event of any impediment, the concerned Petitioner shall be informed within six weeks from today, failing which, the arrears of pension payable to the Petitioners shall be released within three months from today, along with interest at the rate of 6% per annum.

7. Before parting, this Court deems it appropriate to observe that the Respondent ought not to compel similarly situated retired employees to repeatedly approach the Court for identical relief. The issue stands settled by

the Supreme Court, and has also been consistently followed by this Court. DUSIB is expected to extend the benefit of such settled legal position uniformly to all eligible employees, without driving each individual to initiate separate litigation.

8. With the above directions and observations, the present petition is disposed of.

SANJEEV NARULA, J

APRIL 9, 2026
as

[2] In Civil Appeal No. 3933/2023 and connected matters, decided on 19th May, 2023.