$~6, 7, 13 to 19

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

\+ W.P.(C) 17539/2025

BHUPINDER NATH .....Petitioner

versus

DELHI TRANSCO LIMITED & ORS. .....Respondents

with

W.P.(C) 17556/2025, W.P.(C) 17540/2025, W.P.(C) 17548/2025, W.P.(C) 17549/2025, W.P.(C) 17550/2025, W.P.(C) 17552/2025, W.P.(C) 17554/2025 & W.P.(C) 17597/2025

For Petitioner: Mr. Mahesh Srivastava, Mr. V.M Srivastava, Ms. Kaveri Rawal, Advocates.

For Respondent: Ms. Anubha Dhulia, Mr. Vinayak Menon, Advocates for R-1.
Mr. S.K Singh, Advocate for R-3.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% **05.05.2026**

1. The Petitioners, who have retired from the posts of General Manager/Chief Engineer, are aggrieved by the action of Respondent No. 1 in not fixing their pension in accordance with the recommendations of the 7th Wage Revision Committee.[1]

2. In this regard, the Petitioners place reliance on the recommendations of the 6th WRC. Under the said recommendations, the pay scale of AGM

[1] "WRC"

(T)/Director (O) was fixed at ₹75,500-80,000 (HAG Scale), whereas the post of Chief Engineer/General Manager was placed in the pay band of ₹37,400-67,000 with a Grade Pay of ₹10,000, starting from ₹56,200. It is contended that this resulted in a substantial widening of the pay differential between the two posts. While under the 5th Pay Commission the difference in initial pay was approximately ₹400/-, under the 6th Wage Revision it increased to about ₹19,300/-. The aforesaid disparity between the structures under the 5th and 6th pay commissions is illustrated in the following tabulation:

S. No.	**Designation**	**Pay Scale as per 5th Pay Commission (Rs.)**	**Pay Scale as per 6th Pay Commission (Rs.)**
1.	AGM(T)/DIRECTOR (O)	18600 – 23100 + 400 as Special Pay	75500 – 80000 (HAG Scale)
2.	CHIEF ENGINEER / GENERAL MANAGER	18600 – 23100	37400 – 67000 + 10000 G.P. with starting of Rs. 56200
3.	Difference of pay at starting level (Rs.)	(18600 + 400) – 18600 = Rs. 400	75500 – 56200 = Rs. 19300

3. It is urged that the 7th WRC, constituted on 25th January 2016, was specifically tasked, *inter alia*, to examine such anomalies in the pay structure and recommending corrective measures. The Petitioners' case is that the Committee acknowledged the anomaly in the pay structure, noting that during the period between 1st January, 1996 and 31st December, 2005, corresponding to the 5th Pay Commission, the pay scale of AGM (T)/Director (Operations) and that of Chief Engineer/General Manager (T) was the same, namely ₹18,600-23,100, with only a marginal difference of

₹400/- in favour of AGM (T)/Director (O). However, under the 6th WRC, a significant disparity was introduced. The post of Director (Technical)/Functional Director was placed in the pay scale of ₹75,500-80,000 (HAG Scale) against the pre-revised scale of ₹18,600-23,100, whereas the post of Chief Engineer/General Manager was placed in the pay band of ₹37,400-67,000 with a Grade Pay of ₹10,000, with an initial pay of ₹56,200 per month. This resulted in a difference of approximately ₹20,000 per month at the stage of initial fixation, as compared to the pay scale of the Director.

4. It is further stated that, upon a detailed examination, the 7th WRC noted that the 6th pay commission created a two-stage gap between the posts of AGM (T)/Director (O) and Chief Engineer/General Manager and made the following recommendations:

> *"....xxx....xxx....xxx....*
>
> *We accordingly recommend that the pay/pension of the Chief Engineers/General Managers including the retirees of period prior to 01.01.2006 be re-fixed notionally w.e.f. 01.01.2006 in the pay scale of Rs.67000-79000 (Level-13 in the new pay matrix) without any financial benefit of such re-fixation for the period prior to 01.01.2016.*
>
> *....xxx....xxx....xxx....*
>
> *The anomaly in the pay scale of the Chief Engineers, AGM(T) and Member(T) has been removed by rationalizing their pay. The Committee has recommended fixing the pay/pension of the Chief Engineers/General Managers in the Pay Band of Rs. 67000-79000, instead of pay Band of Rs.37000- 67000(Grade Pay Rs.10000.00"*

5. Relying on the aforesaid recommendations, the Petitioners submitted representations seeking revision of their pension in line with the 7th WRC report. These representations were disposed of by Office Order dated 10th January 2024, to the following effect:

> *"OFFICE ORDER*
>
> *The Board of Directors of Delhi Transco Limited vide its Resolution*

> *No.1312.6 dated 07.12.2023 has approved that since new pay system i.e. Pay Matrix has been introduced instead of Grade Pay, hence, no change in the pay system prior to 01.01.2016 is to be made. However, the pay of all the Chief Engineers/ General Managers including retirees of the period prior to 01.01.2016 be fixed in the pay scale of Pay Level-13 of WRC corresponding to Pay Level-15 of 07th CPC w.e.f. 01.01.2016,(Sl. No. 79-WRC report-Table-II).*
> *This issues with the approval of Competent Authority."*

6. Since notice has not been issued in these petitions and counter affidavits have not been called for, this Court is not adjudicating the merits of the Petitioners' claim. The limited question is whether the impugned decision reflects due consideration of the relevant material placed before the authority.

7. A perusal of the impugned Office Order indicates that it does not adequately engage with the specific grievance of the Petitioners regarding the anomaly identified by the 7th WRC, nor does it furnish reasons for departing from or not fully implementing the recommendations of the said Committee. In the opinion of this Court, the absence of a reasoned analysis of the 7th WRC recommendations renders the decision susceptible to challenge on the ground of arbitrariness.

8. Accordingly, without delving into the merits of the case and reserving all rights and contentions of the parties, the present petitions are disposed of with the following directions:

8.1. The impugned Office Order dated 10th January, 2024, is set aside.

8.2. The Petitioners shall submit a fresh and comprehensive representation to the Respondents within a period of two weeks from today.

8.3 Upon receipt thereof, the competent authority shall consider the same in accordance with law, having due regard to the Petitioners' contentions, particularly those based on the recommendations of the 7th WRC, and pass a reasoned order within a period of eight weeks thereafter.

8.4 In case, the recommendations are accepted, necessary correction shall be made in the Petitioners' pension.

8.5 In case of any adverse decision, the Petitioners shall be at liberty to assail the same, in accordance with law.

9. With the above direction, the petitions are disposed of along with all pending applications.

SANJEEV NARULA, J

MAY 5, 2026/ab