



2026:DHC:4125



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

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Date of Decision: 06.05.2026+ **CONT.CAS(C) 36/2025 and CM APPLs.14202/2025, 45599/2025****FAIYAZ AHMAD & ORS.**

.....Petitioners

Through: Mr. Jai Sahai Endlaw, Mr. Shadab Khan and Mr. Gaurav Sindhwani, Advocates.

versus

DR. GHULAM NABI QAZI & ORS.

.....Respondents

Through: Mr. Saket Sikri, Mr. Vikalp Mudgal, Mr. Ajay Pal Singh Khullar and Mr. Prakhar Khanna, Advs. for R-1 and 3. Mr. Sanjay Sharawat, Sr. Adv. alongwith Dr. Swaroop George, Mr. Mobashshir Sarwar, Mr. Abhinandan Jain, Mr. Shivam Prajapati, Mr. Abhigyan Dwivedi, Mr. Takrim Ahsan Khan, Mr. Zubair Hanifi, Ms. Saba Tasleem, Ms. Aaila Zareen and Mr. Kartikey, Advs. for R-4 and 5.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition has been filed by the petitioners alleging wilful disobedience of the directions contained in the order dated 09.09.2024 in W.P.(C) 5789/2011. The said order reads as under:

"1. This writ petition has been preferred on behalf of the Petitioners under Article 226 of the Constitution of India seeking the following reliefs:

"a) Issue a writ of Certiorari or any other appropriate writ, order or direction thereby calling for the records relating to issuance of office order No. D.NO.Estab/LD/148 dated 19.5.2011 whereby



reducing the Grade Pay of the petitioners from Rs.2800/- to grade pay of Rs.1800/- against the pay scale of Rs.5200-20200 on their appointment as Laboratory Technician (Junior Scale) by the respondents, examine the same and quash it to the extent it reduces the grade pay from 2800/- to 1800/- in respect of the petitioners.

b) Issue a writ of mandamus or any other appropriate writ order or direction thereby directing the respondents to pay to the petitioners on the basis of their pay scales and grade pay as contained both in the advertisement and appointment letters of petitioners i.e. 5200-20200 with a Grade pay of Rs.2800/- from the date of joining and fix their respective pay accordingly on that basis.

c) Grant any other relief which Your Lordship deem fit and proper in the circumstances of the case.”

2. Ms. Garima Prashad, learned Senior Counsel appearing on behalf of the Petitioners hands over a copy of an Office Order dated 04.09.2024 issued by Respondent No.2, whereby in light of orders passed by this Court in CWP No. 5789/2011 filed by 12 Lab Technicians (Junior Scale), Grade Pay of Rs.2,800/- in PB-II (5200-20200) has been restored in respect of the 16 Lab Technicians (Junior Scale) which includes the Petitioners. It is fairly submitted that the grievance of the Petitioners ventilated in the present petition thus stands redressed. She, however, urges that direction be issued to Respondent No. 2 to release the arrears arising on account of re-fixation of the pay in terms of Office Order dated 04.09.2024, at the earliest.

3. Since the grievance of the Petitioners stands redressed and Grade Pay of Rs.2800/- in PB-II had been restored, no further order is required to be passed in the present petition, save and except, a direction that the arrears arising on account of re-fixation of pay, in light of the restoration of the Grade Pay, shall be released as expeditiously as possible but not later than 8 weeks from the date of the receipt of this order. Office Order dated 04.09.2024 is taken on record.

4. Petition stands disposed of in the aforesaid terms along with pending applications.”

2. It transpires, during the course of hearing, that the financial entitlement of the petitioners in terms of the aforesaid directions has been paid, except for the period January 2016 to July 2016.

3. After some hearing, Mr. Saket Sikri, learned counsel for the



2026:DHC:4125



respondent no(s). 1 to 3 submits, on instructions, that the amount due to the petitioners in terms of the aforesaid order for the period January 2016 to July 2016, shall paid/adjusted within a period of 4 weeks from today.

4. The only outstanding grievance canvassed by the learned counsel for the petitioners is the issue of deduction of CPF inasmuch as the necessary deduction does not appear to have been made by the HIMSR.

5. Learned counsel for the respondent no(s). 1 to 3 refutes the aforesaid contention of the learned counsel for the petitioners.

6. Let the petitioners make a representation with regard to the said aspect to the HR head of respondent no.3/HIMSR, who shall duly consider the same and make an endeavour to resolve the grievance of the petitioners, after affording an opportunity of hearing.

7. Let an appropriate decision be taken by the HR Head, HIMSR, under intimation to the petitioners.

8. Let the same be done as expeditiously as possible and preferably within a period of 8 weeks from today.

9. Needless to say, if the petitioners have any grievance with regard to the said decision, they shall be at liberty to avail appropriate remedies in accordance with law.

10. Accordingly, no further orders are required to be passed in the present petition and the same is, accordingly, disposed of. Pending applications also stand disposed of.

SACHIN DATTA, J

MAY 6, 2026/at/sv