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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6497/2016

PRITHVI SINGH

.....Petitioner

Through: Mr. Shreyas Mehrotra, Mr
Manish Kumar Mishra, Mr
Garvit Sharma and Mr Anant
Roy, Advs.

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Bhagvan Sawrup Shukla
CGSC along with Mr. Mukesh
Kumar Pandey and Mr.
Dashmesh Tripathi, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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12.05.2026

1. The Petitioner prays for the following reliefs:

“a) to Issue an appropriate Writ, order or direction of certiorari for quashing the impugned office orders dated 15.02.2014, 19.02.2014 and 25.02.2014 passed by the respondents , whereby the respondents wrongly held that the Petitioner is not eligible for payment of salary with upgraded scale and also wrongly declared "Not Yet Fit" for granting promotion and seniority as due in service period.;

b) Issue an appropriate Writ of mandamus, order or direction to grant promotions and seniority to the Petitioner as due in his service period, duly qualified in the Promotion Cadre Course at serial no. 24 vide Course Result dated 05.09.1995;

c) Issue a writ of mandamus or direction to the respondents to pay the Petitioner the Kit Allowance as well as Restricted Holidays and Gazetted Holidays Allowances and other consequential benefits, which they have not paid and given, as per the judgment and order dated 08.11.2013 passed by this Hon'ble Court in W.P. (C) 7313/2000;”

2. In order to comprehend the issues involved in the present case,



relevant facts in brief are required to be noticed.

3. The Petitioner joined the service of Central Industrial Security Force ('CISF') in the year 1971 and was punished with an order of compulsory retirement on 24.10.1997. Initially, the Petitioner filed a Writ Petition, which was subsequently withdrawn in order to file the representation.

4. The representation submitted by the Petitioner was rejected. Thereafter, the Petitioner filed W.P.(C) 7313/2000 challenging the order of compulsory retirement which was passed on 24.10.1997.

5. The above-mentioned Writ Petition was allowed by the Division Bench on 08.11.2013 with the following observations:

"15. Consequently, the order dated 24.10.1997 compulsorily retiring the petitioner is hereby quashed and set aside. Since the petitioner had attained the age of superannuation on 08.05.2011, a direction to reinstate him cannot be given. However, CISF is directed to pay the differential salary, allowances and other emoluments to the petitioner for the period 24.10.1997 to 08.05.2011 (as if he were in service) with all consequential benefits including the revision of pension, within eight weeks from today."

6. The Petitioner attained the age of superannuation on 08.05.2011. He has been paid the benefits as per the judgment passed on 08.11.2013.

7. Through the present Petition, the Petitioner prays for grant of allowances on account of ration charges, kit charges and barrack charges from 24.10.1997.

8. Admittedly, the Petitioner was not performing any duties during this period and the aforesaid allowance cannot be granted without actually having undergone the work.

9. The Petitioner also claims that he had cleared departmental promotion examination and therefore, should be granted benefit of the promotional post.



10. Learned counsel representing the Petitioner does not dispute that last 05 ACRs before 1997 were not good and that the Petitioner had been inflicted with multiple punishments including censure and rejection of pay. The recordings in the ACRs concededly disentitled the Petitioner of any promotion.

11. Learned counsel representing the Petitioner submits that the ACRs for the period post 1997 should be treated as good on the ground that the Petitioner was deprived opportunity to work. He further submits that the 05 ACRs recorded before 1997 were due to victimization. However, there is absolutely no material to substantiate such claims alleging victimization. He never challenged the aforesaid ACRs.

12. After 1997, the Petitioner never worked. Hence, there are no ACRs for that period.

13. Therefore, the Petitioner now, at this stage, cannot claim that he should be granted benefit of the promotional post.

14. Hence, the present Petition is dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MAY 12, 2026

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