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

+ W.P.(C) 3363/2026, CM APPL. 16163/2026, CM APPL. 16164/2026 and CM APPL. 16165/2026

UNION OF INDIA & ANR.Petitioners

Through: Mr. Syed Abdul Haseeb, CGSC
along with Mr. Muhammad
Aamir Khan and Ms. Sherya
Kasera, Advs.

versus

SHRI DEEPAK KUMAR SINHA & ORS.Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **25.03.2026**

1. Learned counsel representing the Petitioner, *inter alia*, contends that the learned Central Administrative Tribunal, Principal Bench, New Delhi ('Tribunal') *vide* order dated 18.11.2025 [hereinafter referred to as 'Impugned Order'] has erred in directing the Petitioner to refund the gratuity and to count his past Military service.

2. It is submitted that the Respondent No. 1 after having been discharged as Airmen from the IAF joined as Station Engineer in the Department of Lighthouses and Lightships under the Ministry of Surface Transport (Shipping Wing), Government of India, which is known as the Directorate General of Lighthouses and Lightships ('DGLL') under the Ministry of Ports, Shipping and Waterways ('MoPSW'). It is further submitted that upon his appointment to the above-mentioned post, the Respondent No.1 exercised option to count



his previous service in the IAF towards qualifying service in DGLL for the purposes of pension.

3. It is further submitted that the Respondent deposited the gratuity, which was received from the IAF, along with interest. Subsequently, on account of change in Rule with regard to qualifying period of service for grant of full pension from 33 years to 20 years, the Respondent sought refund of the gratuity and decoupling of his service in the Indian Air Force.

4. Let Notice of Motion be issued to the Respondents *via* all permissible modes, returnable on 12.08.2026.

5. In the meantime, the operation of the Impugned Order shall remain stayed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

MARCH 25, 2026
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