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

+ W.P.(C) 8755/2020

VIKAS SINGH & ORS

..... Petitioner

Through: Mr. P.S. Bindra, Senior Advocate
with Mr. Vinayak Marwah and Mr.
Bhuvneshvar Tyagi, Advocates

versus

THE DISTRICT AND SESSIONS JUDGE & ANR Respondent

Through: Ms. Laavanya Kaushik, Mr. N.K.
Singh, Ms. Aliza Alam and Mr.
Mohnish Sehrawat, Advocates for
DSJ.
Mr. Rajat Aneja and Ms. Alka
Dwivedi, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

08.05.2024

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(The proceeding has been conducted through Hybrid Mode)

1. After some preliminary hearing, it appears that the present matter is hinged on the judgment of the learned Division Bench of this Court dated 09.07.2015 in W.P.(C) 4964/2011 captioned as *Naresh Kumar & Ors vs. The District and Sessions Judge, Tis Hazari Courts, Delhi and Ors*, which is stated to be relying upon the judgment of the Division Bench dated 02.05.2008 in W.P.(C) 484/1988, captioned as *Mirza Zahid Beg & Ors vs. Union of India & Ors*.
2. It is stated that the respondent no.4, though has implemented the aforesaid orders passed by the learned Division Bench in respect of all other



employees, who are the petitioners before the respective Courts, however, in regard to the Process Servers, though the revised pay scales were implemented, the Grade Pay was restricted to Rs.2400/-.

3. The submission is that the petitioners, in accordance with the aforesaid two judgments, which are in *rem*, are entitled to a Grade Pay of Rs.2800/- on the basis that they were treated as equivalent to the employees on the same posts as that of employees posted in Delhi High Court. They submit that since the Process Servers at Delhi High Court were getting a Grade Pay of Rs.2800/-, they too are entitled to the same Grade Pay.

4. Mr. Rajat Aneja, learned counsel appearing for the respondent no.2/Registrar General, Delhi High Court, submits that he would give a short note, not exceeding two pages, giving the background of the entire litigation, including the references to the aforesaid judgments and para nos. of the judgments to assist this Court.

5. The parties are permitted to file written submissions, not exceeding two pages in the form of pointers/bullet points with cross reference to the page numbers of the relevant documents that they seek to rely on, within four weeks from today with an advance copy to each other.

6. List of judgments along with the judgments may also be filed separately within the same timeline.

7. Counsels together submit that the hearing would not have more than 25 minutes in all. Restricting the counsels to their statement, list the matter for consideration on 28.05.2024.

TUSHAR RAO GEDELA, J

MAY 8, 2024

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