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

+ **W.P.(C) 19777/2025**

UNION OF INDIA

.....Petitioner

Through: Mr.Nitinjya Chaudhry, CGSC
with Ms.Vidhi Gupta, Mr.Rahul
Mourya and Mr.Kultar Chandel,
Advs.

versus

VISHVAJEET KUMAR GUPTA AND ORS.Respondents

Through: *Nemo*

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **24.12.2025**

CM APPL. 82606/2025 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 19777/2025 & CM APPL. 82605/2025

2. This petition has been filed, challenging the Order dated 26.05.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as, the 'Tribunal') in O.A. No. 142/2020, titled ***Vishvajeet Kumar Gupta & Ors. v. Union of India***, whereby the said O.A. filed by the respondents herein was allowed with the following directions:

"5. In view of the same, impugned order dated 20.05.2019 (Annexure-A/1), is liable to be quashed and set aside. Respondents are directed to take appropriate steps qua the re-fixation of pay and grant of 1st increment to the applicants' w.e.f. 01.07.2009, within a period of two months from the date of receipt of a certified copy of this order. All consequential benefits thereto shall also follow."

3. We find that the impugned selection process had culminated



with the results being declared on 19-25.01.2008. Thereafter, the selected candidates were sent for training in four different batches, depending on the receipt of the Police Verification Reports and Medical Examination Certificates. This resulted in an anomaly inasmuch as, while the first three batches became entitled to the first increment on 01.07.2009, the 4th batch was not so entitled, as they had not completed the mandatory six months of service.

4. Aggrieved by the same, representations were filed by the respondents, which were rejected by the petitioner *vide* Order dated 15.10.2009. Six years thereafter, a fresh round of representations was made in the year 2015-2016 for the release of one increment on 01.07.2009, and an O.A., being O.A. 3397/2018, was filed, which was disposed of with a direction to the petitioners to consider the said representations. The question of limitation was, however, not addressed. In the Impugned Order as well, the learned Tribunal granted all consequential benefits without addressing the said issue.

5. Issue notice to the respondents, to be served through all permissible modes, returnable on 23rd April, 2026.

6. Let counter affidavit be filed within a period of four weeks of receipt of notice. Rejoinder thereto, if any, be filed within a period of three weeks thereafter.

7. In the meantime, there shall be a stay on the enforcement of the Impugned Order.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 24, 2025/sg/Yg