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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 28.11.2024***

+ W.P.(C) 16465/2024

MR. JAGJEET SINGH BHALLA

.....Petitioner

Through: Mr. Chetan Anand, Mr. Akash
Kumar Srivastava and Mr.
Maitray Singh Rathi, Advs.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Farman Ali, SPC with Mr.
Anisul Haqueel and Ms. Usha
Jammal, Advs. and Mr.
Hemendra Singh, DC.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE SHALINDER KAUR****NAVIN CHAWLA, J. (ORAL)****CM APPL. 69463/2024**

1. Allowed, subject to just exceptions.

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2. This petition has been filed by the petitioner, praying for the grant of the benefit of the Non-Functional Financial Upgradation (in short, 'NFFU') to the petitioner with effect from 01.01.2006, which was earlier granted to the petitioner *vide* an Order dated 21.10.2019, however, was later withdrawn *vide* an Order dated 06.01.2021.

3. Drawing reference to the reply dated 14.09.2022, received by the petitioner to his legal notice dated 07.02.2022, from the respondent. The learned counsel for the petitioner submits that the respondent had asserted that post 08.01.2009, it was mandatory to



undergo Senior Officers Management Course (in short, ‘SOMC’) Level-II course for promotion from DIG (“Deputy Inspector General”) to IG (“Inspector General”). He submits that the petitioner had undergone this course in 2003. Overlooking this fact, the grant of NFFU has been withdrawn from the petitioner, claiming that as the petitioner failed to undertake the SOMC-III course, he was not entitled to the same. The learned counsel for the petitioner submits that the respondent has admitted in its reply that undertaking a SOMC Level-III course was no longer mandatory after 08.01.2009, for the grant of NFFU.

4. Keeping in view the submissions made by the learned counsel for the petitioner, we are of the view that the respondent should consider the present petition as a representation of the petitioner and decide the same within a period of six weeks from today. In case the petitioner is found eligible for the grant of NFFU, the same should be released to him forthwith with a retrospective effect. If the petitioner is found not eligible for the grant of NFFU, a reasoned order therefor be communicated to the petitioner within the same period. In that event, it shall be open for the petitioner to challenge the said order, in accordance with law.

5. The petition is, accordingly, disposed of.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 28, 2024/ss/sk/DG

Click here to check corrigendum, if any