



2026:DHC:2998-DB



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

+ W.P.(C) 4694/2026, CM APPL. 22971-73/2026

UNION OF INDIA & ORS.Petitioners

Through: Mr. Balendu Shekhar, CGSC
with Mr. Krishna Chaitanya, Mr. Rajkumar
Maurya and Mr. Divyansh Singh Dev,
Advocates.

versus

SH PURSHOTAM DASS SHARMA & ORS.Respondents

Through: Mrs. Avnish Ahlawat, SC with
Mr. Uday Singh Ahlawat, Mrs. Tania
Ahlawat and Mr. Nitesh Kumar Singh,
Advocates.

Mr. S.K. Gupta, Advocate.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

% **09.04.2026**

C. HARI SHANKAR, J.

1. This writ petition assails the order dated 23 July 2025 passed by the Central Administrative Tribunal in three Original Applications. The respondents were the applicants in the said original applications.

2. The respondents who were working in the Postal Department under the Reserve Training Pool Scheme, were seeking that the period during which they worked under the said Scheme be treated as regular service for all service benefits.



3. The Tribunal has allowed the respondents' claim. While doing so, the Tribunal has noted that similar claims by other similarly placed applicants had been allowed by the Tribunal in its earlier decisions in OA 823/2020¹ and OA 197/2020². Against these decisions, WP (C) 7301/2025 and WP (C) 7412/2025 had been preferred before this Court. This Court by judgment dated 27 May 2025, dismissed the writ petitions with the following order:

**“CM APPL. 32882/2025 (exemption) in W.P.(C) 7301/2025
CM APPL. 33236/2025 (exemption) in W.P.(C) 7412/2025**

1. Allowed, subject to all just exceptions.

**W.P.(C) 7301/2025 & CM APPL. 32881/2025
W.P.(C) 7412/2025 & CM APPL. 33235/2025**

2. These petitions have been filed challenging the Order(s) dated 29.08.2024 and 18.09.2024 of the learned Central Administrative Tribunal, Principal Bench, New Delhi in OA No.823/2020 and OA No.197/2020, respectively, which allowed the OA(s) filed by the respondent(s), by quashing the orders impugned therein and passing the following *pari materia* directions:

“...(ii)The respondents are directed to extend the benefit of the judgment of Hon’ble High Court for State of Telangana at Hyderabad in Writ Petition No. 17400/2016 to the applicants in present OA.

(iii) The applicants shall be entitled to all consequential benefits flowing therefrom including upgradation under MACP Scheme, pensionary benefits etc., as applicable.

(iv) The respondents shall comply with the aforesaid directions as expeditiously as possible and preferably within a period of 12 weeks from the date of receipt of a copy of this Order.”

¹ Dhiraj Pal & Ors. v. UOI

² Naresh Kumar v. UOI



3. Apart from challenging the Order(s) of the learned Tribunal on merits, the learned counsel for the petitioners submits that the OA(s) filed by the respondents before the learned Tribunal were highly belated and should have been dismissed only on the ground of delay and laches.

4. He submits that though this Court in WP (C) no.6973/2024, titled **Union of India & Ors. v. Raksh Pal Singh & Ors.** vide its Judgment dated 27.05.2024, has dismissed a similar challenge on merits, and a Special Leave Petition thereagainst has also been dismissed vide Order dated 10.12.2024 passed in SLP (C) No. 29726/2024, in another case, that is, in SLP (C) Diary No. 1868/2024, titled **Union of India and Ors. v. Ravi Krishna and Ors.**, the Supreme Court while dismissing the petition, has left the question of law open.

5. Further, placing reliance on the Judgment dated 04.11.2024 passed by the High Court of Judicature at Madras in WP (C) no.1373/2021 titled **UOI & Ors. v. The Registrar, Central Administrative Tribunal & Anr.**, he submits that a similar challenge on merits has been allowed by the High Court and the orders passed in the OA(s) has also been dismissed on the ground of delay and laches.

6. We have considered the submissions made by the learned counsel for the petitioners.

7. As far as the challenge on merits is concerned, this Court by its Judgment in **Raksh Pal Singh** (supra), has already dismissed a similar challenge of the petitioners. Furthermore, and as noted hereinabove, the Special Leave Petition thereagainst has also been dismissed by the Supreme Court. Being a Bench of coordinate strength, we are bound by the Judgment.

8. On the question of delay and laches, we again find no merit in the petition

9. This Court in **Raksh Pal Singh** (supra), was considering the OA(s) filed by the respondents therein in the year 2020, wherein the learned Tribunal, placing reliance on an Order passed by the High Court for the State of Telangana at Hyderabad in W.P.(C) 17400/2016, against which SLP(C) Diary No. 1868/2024 was dismissed keeping the question of law open, held that the respondents therein would be entitled to have their services, rendered as Reserve Trained Pool from 1983 to 1985, counted for the purpose calculation of financial benefits. This Court upheld the learned Tribunal's decision, noting that other similarly situated individuals had already been granted such benefits for their service



in the Reserve Trained Pool, and there was no justification for denying the same to the respondents.

10. We agree with the above findings. There cannot be a different yardstick for different members of the service, requiring each one of them to approach the Court for similar benefits. In our view, the Judgment in the present case would apply in rem and therefore, the benefit should have been extended by the petitioners to all the similarly situated personnel.

11. We, therefore, find no merit in the present petitions. The same are accordingly dismissed. The pending applications also stand disposed of as being rendered infructuous.”

4. Mr. Balendu Shekhar, learned CGSC for the petitioners acknowledges, fairly, the fact that SLPs preferred by the Union of India against the decision of the High Court in the state of Telangana in *Union of India v. V. Ravi Krishna*³, on which this Court had relied, were dismissed.

5. Mr. Balendu Shekhar also acknowledges that SLPs, preferred against the judgment dated 27 May 2025 of this Court, were also dismissed by the Supreme Court.

6. Mr. Gupta, learned Counsel for the respondents has in fact handed over to us a copy of a subsequent order passed in SLP (C) 11546/2026 in *Union of India v. Sangeeta Kaushik* which again chose to raise the same dispute before the Supreme Court. The Supreme Court, noting the fact that the earlier SLPs preferred against the judgment dated 27 May 2025 of this Court have already been dismissed by the Supreme Court, dismissed the SLP of the Union of India with costs of ₹ 25,000/-.

³ Judgment dated 27 February 2023 in **W.P.(C) 17400/2016**



2026:DHC:2998-DB



7. Mr. Balendu Shekhar's sole contention is that the Supreme Court, in *Jagrit Mazdoor Union (Regd.) and others v. Mahanagar Telephone Nigam Ltd. and Another*⁴ rendered on 29 November 1989 and *Union of India and Another v. K.N. Sivadas and Others*⁵ rendered in 1997, far earlier in point of time, appeared to have adopted a contrary view.

8. Nonetheless, as the position as exists today is reflected by the orders of which we have made reference hereabove, which have rightly been followed by the Tribunal, we do not deem it appropriate to interfere with the impugned judgment of the Tribunal.

9. The petition is accordingly dismissed in *limine*.

C. HARI SHANKAR, J

OM PRAKASH SHUKLA, J

APRIL 9, 2026/pa

⁴ 1990 (Supp) SCC 113

⁵ (1997) 7 SCC 30