



\$~10

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

Date of decision: 14.11.2025

+ **W.P.(C) 12600/2023 & CM APPL. 49643/2023, CM APPL. 7769/2024**

UNION OF INDIA & ORS.Petitioners

Through: Ms. Shiva Lakshmi and Mr. Madhav Bajaj, Advs.

versus

PAWAN BALLABH THAPLIYAL & ORS.Respondents

Through: Mr. M.K. Bhardwaj, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE MADHU JAIN

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, challenging the Order dated 30.10.2017 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No. 3409/2017, titled ***Pawan Ballabh Thapliyal & Ors. v. Union of India & Ors.***, whereby the learned Tribunal allowed the aforesaid O.A. filed by the respondents herein and directed the petitioners to implement the Judgment dated 18.05.2015 passed by the Gauhati High Court in W.P.(C) No. 912/2010, titled ***Purushottam Dass v. Union of India & Ors.***, qua the respondents as well. The learned Tribunal held that the refusal of the petitioners to extend the benefits of the Judgment of the Gauhati High Court in ***Purushottam Dass*** (supra) to the respondents, only because they were not parties to that petition, cannot be sustained.

2. Aggrieved thereby, the petitioners filed the review application,



being R.A. No. 108/2022, titled ***Union of India &Ors. v. Pawan Ballabh Thapliyal***, in the aforesaid O.A., before the learned Tribunal, *inter alia* placing reliance on the Order dated 13.07.2022 passed by the Supreme Court in Special Leave Petition (Civil) No. 10711/2022, titled ***Union of India & Anr. v. Purushottam Dass***, wherein the Supreme Court expressly confined the relief granted by the Gauhati High Court in ***Purushottam Dass*** (supra) to the respondent therein, namely, Shri Purushottam Dass. The learned Tribunal, *vide* its Order dated 13.03.2023, dismissed the aforesaid R.A. as being not maintainable, which is also impugned before us in the present petition.

3. The learned counsel for the petitioners submits that the respondents cannot simply rely on the Judgment of the Gauhati High Court in ***Purushottam Dass*** (supra), inasmuch as the Supreme Court, *vide* its Order dated 13.07.2022, though while dismissing the S.L.P. filed against the same, confined the relief only to the respondent therein, that is, Shri Purushottam Dass.

4. On the other hand, the learned counsel for the respondents submits that the respondents are similarly placed to Shri Purushottam Dass and, therefore, there is no reason to deny them the relief as granted by the Gauhati High Court in ***Purushottam Dass*** (supra).

5. We have considered the submissions made by the learned counsels for the parties.

6. In the present case, it is not disputed that though Shri Purushottam Dass had succeeded before the Gauhati High Court, the Supreme Court, while dismissing the S.L.P. filed by the petitioners against the Judgment passed by the Gauhati High Court in



Purushottam Dass (supra), specifically stated that the relief shall remain confined to the respondent therein.

7. The effect of the aforesaid order passed by the Supreme Court is that no reliance can be placed by others on the Judgment passed by the Gauhati High Court in ***Purushottam Dass*** (supra) to claim similar relief on ground of parity with Purushottam Das; others must stand on their own legs and establish their individual entitlement.

8. In the present case, as the learned Tribunal has passed the Impugned Order solely on the basis of the Judgment of the Gauhati High Court in ***Purushottam Dass*** (supra), the Impugned Order cannot be sustained and is accordingly set aside.

9. However, at the same time, the respondents cannot be left remediless. Accordingly, we restore the O.A. filed by the respondents herein before the learned Tribunal, wherein they shall be entitled to establish their entitlement to the higher pay scale as claimed by them, on merits. All pleas and claims of the parties shall remain open in such proceedings.

10. The parties shall appear before the learned Tribunal on 11th December, 2025, for further directions.

11. The writ petition, along with the pending applications, is disposed of in the above terms.

NAVIN CHAWLA, J

MADHU JAIN, J

NOVEMBER 14, 2025/ys/RM/hs