



2025:DHC:11568-DB



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

+ W.P.(C) 19058/2025

SANJAY MAROTRAO ANCHALWARPetitioner

Through: Mr. Himanshu Gautam, Adv.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Akhil Mittal, SPC with Ms. Shayna Das Pattanayak and Ms. Riddhi Jain, Advs.

Mr. Arvind, GP with Mr. Anushikha Rathore, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT (ORAL)

% **17.12.2025**

C. HARI SHANKAR, J.

1. The petitioner in this case is an officer of the Indian Coast Guard who superannuated at the age of 57 years on 30 August 2025.

2. The prayer in this writ petition is for continuation in service till the age of 60 years.

3. Learned Counsel for both sides are *ad idem* that the issue is covered by the judgment of this Court in *Cheeli J Ratnam v. Union of India*¹. However, Mr. Akhil Mittal, learned SPC for the respondents,

¹ 2025 SCC OnLine Del 8573



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submits that the petitioner in *Cheeli J Ratnam* was in service when the order was passed, whereas the petitioner stands superannuated on 30 August 2025.

4. That cannot make a difference to the applicability of the judgment as the petitioner would be entitled to continue in service till 60.

5. Accordingly, the petitioner is directed to be reinstated in service. However, the salary and other benefits to which the petitioner would be entitled consequent on reinstatement would be conditional on the petitioner, in the first instance, returning all the retiral benefits which have been paid to him.

6. Mr. Himanshu Gautam, learned Counsel for the petitioner, on behalf of his client, undertakes that the necessary payment would be made by petitioner to the respondents within four weeks.

7. Thereupon, the petitioner would be entitled to continue in service till the age of 60 with all consequential benefits.

8. The writ petition stands allowed accordingly.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

DECEMBER 17, 2025/dsn