GAHC010026312025

undefined

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/855/2025

GO- 4005W SRI KRISHNA KUMAR SHARMA
S/O- SRI UDAY NARAYAN SHARMA,
PRESENTLY SERVING AS EXECUTIVE ENGINEER (CIVIL) AT 25 BRTF (GREF),
PROJECT VARTAK, PIN- 930025, C/O- 99 APO.

VERSUS

THE UNION OF INDIA AND 5 ORS.
REPRESENTED BY JOINT SECRETARY (BR-WING), MINISTRY OF DEFENCE (EARLIER DESIGNATED AS SECRETARY (BRDB)), ROOM NO. 418, B- WING 4TH FLOOR, SENA BHAWAN, NEW DELHI-110011.

2:SECRETARY (PERSONNEL)
MINISTRY OF PERSONNEL
P G AND PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING
NORTH BLOCK
NEW DELHI-110001.

3:DIRECTOR GENERAL
BORDER ROADS ORGANIZATION
SEEMA SADAK BHAWAN
RING ROAD
DELHI CANTT.
NEW DELHI- 110010.

4:ADDITIONAL DIRECTOR GENERAL (EAST)
BORDER ROADS ORGANIZATION
CARE HQ 47 BRTF
LANKESWAR
JALUKBARI
GUWAHATI

C/O- 99 APO
PIN- 900885.

5:THE CHIEF ENGINEER
HQ CE(P) SEWAK
PIN- 931714
C/O- 99 APO.

6:UNION PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY
DHOLPUR HOUSE
SHAHJAHAN ROAD
NEW DELHI- 110069

Advocate for the Petitioner : MRS. R BORAH, MR. D BORAH

Advocate for the Respondent : DY.S.G.I., MR. S K MEDHI(C.G.C.),SC, UPSC

BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI

ORDER

15.10.2026

Heard Shri D. Borah, learned counsel for the petitioner. Also heard Shri S. K. Medhi, learned CGC.

2. At the outset the learned counsel for the petitioner has submitted that the issue involved has been answered in a recent order dated 10.09.2026 passed in WP(C)/6012/2024 and that the present writ petition can also be disposed of with similar directions.

3. The subject matter involves a claim for pay protection. The judgment referred to has considered the rival contentions and has allowed the writ petition. This Court, after going through the said judgment, copy of which has been placed before this Court does not have any reason to differ with the same.

4. Considering the above, the instant writ petition is disposed of by observing that the benefits granted by the aforesaid judgment would also be given to the petitioner.

5. Accordingly, any and all orders passed by the respondents denying the benefit of pay protection to the petitioner herein are interfered with, set aside and quashed. The respondents would now pass appropriate consequential orders refixing the pay of the petitioner by granting him the pay of Rs. 24,580/- (twenty-four thousand five hundred eighty) only with grade pay Rs. 5,400/- (five thousand four hundred) per month and DA and Others allowances at the prevailing prescribed rates with effect from 06.09.2011, with the date of next increment to be due on 01.07.2012 and to further grant all consequential benefits thereafter, within a period of two (2) months from the date of receipt of certified copy of this order.

6. The writ petition accordingly stands allowed.

JUDGE

Comparing Assistant