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Present: Mr. Rajesh Srivastav with Ms. Anindita Gupta,
Advocates for the petitioner.
Mr. Darpan Wadhwa, Advocate for the respondents.

+ **CM No.12084/2008 in W.P.(C) No.5955/2008**

Notice.

Learned counsel for the respondents accepts notice.

For the reasons stated in the application, the application is allowed and the writ petition is restored to its original number by recalling order dt. 18.8.2008.

The application stands disposed of.

WP (C) No.5955/2008

The petitioner claims pro-rata pension. The petitioner has not completed minimum 15 years of qualifying service but has 10 years of service. No policy decision of the respondents have been placed on record to show such entitlement of the petitioner. Reference has been made to two judgments wherein the aspect of pro-rata pension has been examined but it is not clear as to in what circumstances such

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 pro-rata pension is granted.

Certify that the digital file and physical file have been compared and the digital data is as per the physical file and no page is missing.

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Learned counsel for the respondents state that this Court does not have territorial jurisdiction in the matter but without prejudice to the same submits that the respondent would inform the petitioner as to why he is not entitled to pro-rata pension. Needful be done within six weeks from today.

The petition stands disposed of.

Dasti to learned counsel for the parties.


SANJAY KISHAN KAUL, J.

AUGUST 29, 2008
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MOOL CHAND GARG, J.