

Court No. - 8

Case :- WRIT - A No. - 13089 of 2020

Petitioner :- Raksha Pal Singh Rana

Respondent :- State Of U.P.Thru Prin.Secy.Public Works Deptt.Lko And Ors.

Counsel for Petitioner :- Uma Shankar Sahai,Madhav Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

1. Heard Sri Uma Shankar Sahai, learned counsel appearing for the petitioner and Sri V.K. Bajpayee, learned Standing Counsel appearing for the State.
2. Present petition under Article 226 of the Constitution of India has been filed seeking a writ of mandamus for a direction to pay regular pension with payment of D.A. and interest to the petitioner.
3. The petitioner has been facing disciplinary proceedings in which enquiry officer after concluding the disciplinary enquiry, has submitted a report before the disciplinary authority on 20.03.2023. Only step which has remained in the disciplinary proceedings, is to take a final decision in respect of pension of the petitioner.
4. Till the final decision is taken in the disciplinary proceedings, this court cannot direct for payment of full pension as claimed in the writ petition. In view thereof, respondent No.2/3, as the case may be, is directed to take a final decision in accordance with law on the inquiry report submitted by the enquiry officer within a period of 2 months. After the final decision is communicated to the petitioner, he may have liberty to challenge the said decision, if the occasion arises, in accordance with law.

5. Disposed of.

(Dinesh Kumar Singh, J.)

Order Date :- 14.7.2023

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