

Court No. - 9

Case :- WRIT - A No. - 9214 of 2023

Petitioner :- Mahipal Sharma

Respondent :- U.P. Jal Nigam (Rural) Thru. Its Managing Director Lko. And 2 Others

Counsel for Petitioner :- Brij Bhushan Singh,Rajesh Singh

Counsel for Respondent :- Samir Om

Hon'ble Rajan Roy,J.

Heard.

The case of the petitioner is that after his retirement in the year 2014, first pension payment order was issued, according to which, the petitioner was to be paid interim pension @ Rs.8140/-. Eight years thereafter, another pension order was issued, according to which, the pension payable to the petitioner is Rs.7655/-. Consequence of it, other orders have been issued raising demand of recovery of the alleged excess salary/pension. This has been done after his retirement and without notice in the teeth of decision of Hon'ble the Supreme Court on the subject.

On being confronted, Sri Madhav Om, Advocate holding brief of Sri Samir Om, learned counsel for U.P. Jal Nigam submitted that he has instructions from the Law Department of U.P. Jal Nigam to submit that recovery has been ordered illegally and the order would be reconsidered and recalled. On being asked, he stated that this would be done in four weeks.

In view of the statement made by learned counsel for the U.P. Jal Nigam, the petition is **disposed of** in the terms thereof. Till the order is recalled as stated on behalf of the U.P. Jal Nigam, the same shall not be given effect. Consequences shall follow accordingly and the pension which is payable to the petitioner shall be paid regularly as per law.

(Rajan Roy,J.)

Order Date :- 4.12.2023

Shanu/-