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

+ W.P.(C) 8461/2014

DR. M. VELAYUDHAN NAIR

..... Petitioner

Through: Mr. N.K.Aggarwal, Adv.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Vivek Goel, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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15.01.2016

CM No. 909/2016 (condonation of delay)

Though there is no sufficient ground for condoning the delay, however, in the interest of justice and for the reasons stated in the application, delay in filing the review petition is condoned as the review petition is heard.

CM stands disposed of.

Review petition No. 9/2016 (against order dated 18.5.2015)

The impugned judgment dated 18.5.2015 discusses all contentions which were argued at the time of disposal of the petition. Review cannot be a basis to re-argue the case which has been decided on merits. Also, the

issue of discrimination is covered in para 4 of the judgment dated 18.5.2015 by noting that each institution has its own right to determine from when a policy of enhanced age of retirement will be applicable and which is because each institution has its own separate financial position as also rules and regulations, and merely because other institutions are under the same Ministry does not necessarily mean that every institution under one Ministry must have identical position of date of enhancement of age of retirement unless of course the parent Ministry itself directs that for every institution under that Ministry they have to have a particular date from which the age of retirement has increased.

Dismissed.

VALMIKI J. MEHTA, J

JANUARY 15, 2016

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