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

+ W.P.(C) 1470/2016

AMAR SINGH AND ORSPetitioners

Through: Mr. Niraj Jha, Advocate

versus

UNION OF INDIA AND ORS.Respondents

Through: Mr. R.L. Goel, Senior Advocate
with Mr. Arvind Sharma, DC, BSF

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **18.03.2016**

1. The present petition has been filed by eight petitioners praying *inter alia* for issuing a writ of mandamus to the respondent No.1-Ministry of Home Affairs, the Cadre Controlling Ministry of the BSF, for payment of arrears of pension w.e.f. 1st June, 2006 in terms of the Office Memorandum dated 13th July, 2015, issued by the respondent No.4.

2. On the last date of hearing, learned counsel for the respondents had sought an adjournment to obtain instructions from the department as to whether the facts of the present case are covered by the judgment dated 29th April, 2013, passed by a Division Bench of this Court in a batch of matters, lead matter being **W.P.(C) 1535/2012** entitled Union of India & Anr. Vs. Central Government SAG & Ors. and states as to whether the said judgment has attained finality.

3. Learned counsel for the respondents states on instructions that aggrieved by the judgment dated 29th April, 2013, the respondent- Union of India had preferred appeals before the Supreme Court [SLP No.23055/2013 and 36148-50/2013], which were dismissed vide judgment dated 29th July, 2013 and only after the judgment in the captioned case have attained finality that the Office Memorandum dated 13th July, 2015 came to be issued by the respondent No.4 on the aspect of revision of pension of pre-2006 pensioners. He also confirms on instructions that the petitioners would be covered by the aforesaid Office Memorandum dated 13th July, 2015, however, certain documents/certificates are required to be submitted by them before the arrears of pension can be released in their favour.

4. The respondents are directed to give a written intimation to the petitioners within two weeks informing them about the documents/certificates required to be submitted. Immediately upon receiving the said documents, the respondents shall process the case of each of the petitioners and release the arrears of pension in their favour in terms of Office Memorandum dated 13th July, 2015, within eight weeks therefrom.

5. The petition is disposed of. No orders as to costs.

HIMA KOHLI, J

SUNIL GAUR, J

MARCH 18, 2016

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