

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO. 10227 OF 2005

ORDER:

When the matter is taken up for hearing, learned counsel for the petitioner submits that the petitioner is challenging the action of the respondents in not granting medical invalid pension to the petitioner even though the petitioner had retired on medical invalidation.

2. Learned counsel for the respondents contends that the petitioner had rendered only five years one month and twenty two days service and the minimum service one has to put is ten years to claim invalid pension under medical grounds. Since the petitioner is not eligible, the medical invalidation pension is not granted to him.

3. This Court, having considered the rival contentions put forth by both sides is of the considered view that the ends of justice would be met if the respondents are directed to consider the case of the petitioner for payment of pro-rata pension as the petitioner had put in considerable length of service.

4. Therefore, this Writ Petition is disposed of directing the petitioner to submit a representation to the respondent authorities seeking pro-rata pension, within two weeks from the date of receipt of a copy of this order and upon such a representation being filed, the respondents shall pass appropriate orders granting pro-rata pension to the petitioner, within four weeks thereafter.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

ABHINAND KUMAR SHAVILI ,J

Date: 17.12.2018
KPM