

CWP No.16179 of 2013
DECIDED ON: MAY 14, 2018

ASHOK KUMAR BANERJEE

.....PETITIONER

VERSUS

PUNJAB NATIONAL BANK & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Bajaj, Advocate
for the petitioner.Ms. Harpreet Kaur, Advocate
for the respondents.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India petitioner has sought a writ in the nature of certiorari seeking quashing of the order dated 28.01.2013 (P-7) passed by respondent No.2 whereby, his claim for pension option has been rejected with further prayer for issuance of a writ in the mandamus directing the respondents to accept the pension option and thereafter to release all the arrears along-with interest @15% per annum from the due date till actual realization.

2. Undisputably, the controversy involved in the instant case has already been set at rest by this Court vide judgment dated 09.10.2015 passed in LPA No. 735 of 2012, titled as **Punjab National Bank and others vs. Virender**

Singh Siwach (P-8) whereby, the order/judgment dated 23.02.2012 passed in

CWP No. 8210 of 2011 (O&M), titled as **Virender Singh Siwach vs. Punjab National Bank & others** has been upheld. Since the controversy is no more *res-integra* and has already settled by the Courts', instant petition is allowed in terms of judgment passed in CWP No. 8210 of 2011 (O&M), decided on 23.02.2012.

3. Accordingly, petitioner is directed to re-deposit the amount, if already withdrawn, within a period of two months. The said amount shall be received and the pension shall be released within a period of 4 weeks from the date of re-deposit of the amount with interest 7.5% from the date when the amount fell due till the date of payment. The petitioner shall also re-deposit the amount received by him at 7.5% from the date of its receipt till date of deposit.

MAY 14, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>