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

+ W.P.(C) 7816/2018

FAHIM ASHRAF

..... Petitioner

Through Ms. Shalu Goswami and Ms. Prativa
R. Varma, Advs.

versus

PRESIDENT NATIONAL WATER DEVELOPMENT AGENCY &
ORS Respondents

Through Mr. Naresh Kaushik and Mr. Omung
Gupta, Advs. for R-1
Mr. Arun Bhardwaj, CGSC with Mr.
Prateek, Ms. Gauraan and Mr.
Shashwat Sharma, Advocates for R-2
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CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **01.08.2018**

The present writ petition has been filed for the issuance of writ of mandamus making the prayer therein as under :

- (a) To issue writ of mandamus directing the Respondent No. 1 and 3 Society to formulate and implement rules and regulations regarding Pensionary benefits akin to those being given to similarly placed societies, for its employees at the earliest;*
- (b) To issue writ of mandamus directing that until such time the Respondent No. 1 and 3 Society formulates and implements its own Pensionary benefit rules and regulations, the Petitioner shall be*

awarded Pension as is applicable to Central Government Employees as has been specified clearly in the By-laws governing the Respondent Society.

(c) Pass such further and other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case;

Counsel for the UOI, at the outset, has raised the objection that in the present case, the Court has no jurisdiction and that it is only after the order of the Tribunal, the High Court could intervene.

Considering the prayer made in the petition and contentions of the counsel for the parties, since the matter is related to pensionary benefits, it would not be appropriate to unnecessarily delay the benefit of pension.

In these facts and circumstances, this writ petition is disposed of with the liberty to the petitioner to file the appeal before the Tribunal within a period of one week, which shall decide the same within next four weeks.

Copy of this order be given *dasti* under signature of Court Master.

P.S.TEJI, J

AUGUST 01, 2018
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