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

% ***Date of Order : February 21, 2018***

+ **W.P.(C) 1635/2018 & CM No.6712/2018**

KALEWAR MUKHIYAR Petitioner

Through: Mr.Deepak Singh, Advocate

versus

PUNJAB NATIONAL BANK AND ORS Respondents

Through: Mr.Rajesh Kumar and Mr.V.Govinda
Ramanan, Advocates

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

(ORAL)

1. Petitioner was compulsorily retired on 23rd October, 2010 and he challenges impugned order of 3rd February, 2012 (Annexure P-2) whereby two-third pension i.e. ₹6,76,905/- was credited to his account.
2. Learned counsel for petitioner submits that petitioner had made several Representations to respondents to seek full pension instead of 2/3rd pension and the said Representations have not been responded to, thereby compelling petitioner to serve a legal notice of 5th September, 2017 (Annexure P-7) upon respondents. It is further submitted that there is no response to the said legal notice also.
3. Learned counsel for respondents raises the question of territorial jurisdiction while relying upon Supreme Court's decision in *M/s.Sterling Agro Industries Ltd. Vs. Union of India & Ors.* ILR (2011) VI Delhi 729.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with direction to third respondent to positively respond to petitioner's legal notice (Annexure P-7), if not already done, within a period of six weeks from today and in case full pension is not to be granted to petitioner, then reasons for not doing so, be indicated in the response so given and petitioner be apprised of it within a week thereafter, so that petitioner may avail of his remedies as available in law, if need be.

5. With aforesaid directions, this petition and the application are disposed of while leaving the question of territorial jurisdiction open, as there is no adjudication on merits in this petition.

Dasti.

(SUNIL GAUR)
JUDGE

FEBRUARY 21, 2018
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