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

+ W.P.(C) 2626/2019, CM No. 12198/2019

SH. MAM CHAND (SINCE DECEASED) THROUGH: THEIR
SONS Petitioner

Through: Mr. K. K. Tyagi, Adv.

versus

UNION OF INDIA & ANR. Respondents

Through: Mr. Ashim Sood, CGSC with
Mr. Rhyth Buaria, Adv. for R1 and
R3.
Mr. Atul Kumar, Adv. for Mr. Rajiv
Kapur, Adv. for R2.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **29.07.2019**

The present petition has been filed by the petitioner with the following prayers:

“It is therefore most respectfully prayed that this hon'ble court may kindly pleased to pass the following directions-

(a) issue directions to the respondents to refund the amount of Rs.10, 08,485/- alongwith interest @ 10% p.a. from the date of debiting/deducting the amount, till date of refunding the same to the petitioners in the interest of justice.

Prayed accordingly.

Any other relief which this Hon'ble Court may deem fit and proper also be awarded in favour of the appellant and against the respondent in the facts and circumstances of the case in the interest of justice.”

On perusal of the reply of the SBI to the legal notice got issued by the petitioners herein, it transpires that recovery has been effected because of the fact that basic pension was reduced from Rs.32,506/- to Rs.23,800/- w.e.f January 1, 2006 and further from Rs.12,648/- to Rs. 8,434/- for the period January 1, 2006 to December 31, 2015. Admittedly these orders have been not challenged. Learned counsel appearing for the petitioner states, he shall challenge these orders of reduction in appropriate proceedings, if liberty is granted.

If that be so, petition and the connected application are dismissed as withdrawn with liberty as prayed for in accordance with law.

V. KAMESWAR RAO, J

JULY 29, 2019/jg