

W.M.P.No.20699 of 2019  
in W.P.No.8071 of 2012

S.VAIDYANATHAN,J.

The Miscellaneous Petition has been filed to amend the prayer in the Writ Petition.

2. Heard the learned counsel for the Petitioner. Respondents have no serious objection for the petition being allowed.

3. Originally, the Writ Petition was filed for a direction to enhance the pension of the petitioner as per V and VI Pay Commission Reports correspondingly with effect from 01.01.1996 and 01.01.2006. The petitioner has now sought to amend the prayer, stating that the 3rd respondent subsequently passed an order dated 27.10.2010, directing the 1st respondent not to act upon SSA No.PAO(F)/CH/R109/1075/2000/853/58 dated 29.09.2010. In the said order, It was also directed to issue stop payment order to the Bank and according to the petitioner, the order recalling the pay benefits granted to him was without issuing any notice.

4. Taking note of the fact that without amending the prayer, the matter cannot be decided and considering the fact that no prejudice is going to be caused to the respondents in allowing the petition for amendment, ***this Miscellaneous Petition for amendment is allowed.***

5. Though the respondents 1 to 3 have filed a counter, in view of the subsequent development of amending the prayer, the respondents 1 to 3 shall

**S.VAIDYANATHAN,J.**

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file their additional counter affidavit in respect of the prayer amended now. The respondents are directed to send a copy of the counter to the petitioner and the counsel for the petitioner in advance through email so as to enable them to file reply / rejoinder, if required, as the petitioner is already 86 years old.

22.09.2020

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**Note to Registry:**

*Registry is directed to carry out necessary amendment in the petition and list the matter for hearing on 15.10.2020.*



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