

03-03-2021

ct no. 13

Sl.31

pk

**WPA 4340 of 2020
(Through Video Conference)**

**Sandeep Kumar Ray
Versus
The Bureau of Indian Standards and others**

Mr. Aniruddha Mitra
...for the petitioner

Mr. Jagannath Ganguly
... for the respondents

The writ petitioner was serving as Scientist "E" (WRO) under the Bureau of Indian Standards at Mumbai. He was dismissed from service for unauthorised absence by order dated 30th October, 2007. The order has attained finality.

The writ petitioner claims that he was under a lot of personal distress and hence could not make a prayer for release of pension prior to April, 2019.

The petitioner claims that he has applied for compassionate allowance of pension in terms of Rule 41 of CCS Pension Rules, 1972.

Although counsel for the respondents submits that any request for compassionate allowance of pension in terms of Rule 41, as per the practice of the B.I.S., is not entertained, this

Court directs the respondent no. 2 to consider the petitioner's request for compassionate allowance of pension in terms of Rule 41 of the CCS Pension Rules, 1972 within a period of four months from the date of communication of a copy of this order.

Any order that may be passed by the respondent no. 2 may be communicated to the petitioner within a period of fifteen days thereof.

With the aforesaid directions, the instant writ petition is disposed of.

No order as to costs.

Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)