

CWP-5127-2021

Date of decision: 07.07.2021

Naresh Kumar

.....Petitioner

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. S.K. Choudhary, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner, through his father because of his mental disablement, has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondent-Department that while considering the representation dated 16.12.2020 (Annexure P-8) except mutual agreement dated 06.02.2015 (Annexure P-6) as a valid proof of divorce of the petitioner and to sanction the case of the petitioner for invalidation

pension being 80% disabled, and release the same with an immediate effect along with interest of 18% per annum from the date of withholding till realization.

Notice of motion to the official respondents.

Mr. Sunil Kumar Sharma, Advocate puts in appearance and accepts notice on behalf of the respondents-UOI. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the representation dated 16.12.2020 (Annexure P-8) moved by the petitioner through his father because of his mental disablement and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

The petition stands disposed off accordingly.

07.07.2021

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No