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

+ **W.P.(C) 8567/2021**

SUKHBIR SINGH

..... Petitioner

Through: **Ms. Saahila Lamba, Advocate.**

versus

UNION OF INDIA & ORS.

..... Respondents

Through: **Mr. Jagjit Singh, Advocate for
Railways.**

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Date of Decision: 17th August, 2021

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE NAVIN CHAWLA

J U D G M E N T

MANMOHAN, J: (Oral)

1. The petition has been heard by way of video conferencing.
2. Present writ petition has been filed seeking direction to the Respondent to prepare Pension Payment Order of petitioner and consequently release pension and other retiral benefits of petitioner.
3. Learned counsel for the Petitioner states that the Petitioner was enrolled as Constable in Railway Protection Force. She states that due to compelling domestic circumstances the petitioner applied for voluntary retirement from service and retired with effect from 30th September, 2020.

4. She states that since the petitioner had voluntarily retired from service after rendering necessary twenty years of service, the petitioner is fully eligible for grant of pension and other retiral benefits. She points out that accordingly, the Pension Payment Order (PPO) of petitioner was required to be prepared on the basis of last pay drawn by the petitioner i.e. the pay drawn by the petitioner in the month of September, 2020.

5. She states that though almost a year has lapsed since petitioner voluntarily retired from service, yet till date neither Pension Payment Order of petitioner has been prepared nor the pension and other retiral benefits have been released causing grave financial prejudice to petitioner and his family.

6. Issue notice.

7. Mr. Jagjit Singh, learned counsel for Railways accepts notice. He states that the Pension Payment Order has not been prepared as the petitioner has not completed twenty years of service. However, this Court finds that no reason has been communicated to the petitioner for non preparation of the Pension Payment Order as well as non-grant of pension and other retiral benefits.

8. Accordingly, this Court directs that the present writ petition be treated as a representation to Respondent No.4, who shall decide the same within eight weeks by way of a reasoned order in accordance with law after giving an opportunity of hearing to the petitioner.

9. With the aforesaid direction, the present writ petition stands disposed of. Needless to say that in the event, the petitioner is aggrieved by the decision of the Respondent No. 4, he shall be at liberty to file appropriate proceedings in accordance with law.

10. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

NAVIN CHAWLA, J

AUGUST 17, 2021
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