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

% ***Date of decision: July 18, 2022***

+ **W.P.(C) 10697/2022**

DINESH RANA, EX CPL 770490-R Petitioner

Through: **Ms. Pallavi Awasthi, Advocate**

versus

UNION OF INDIA & ORS. Respondents

Through: **Mr. Pavan Narang and Mr. Himanshu Sethi, Advocates**

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T (oral)

CM APPL. 31062/2022 (exemption)

1. Allowed subject to all just exceptions.
2. The application is accordingly disposed of.

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3. The petitioner has filed the present petition seeking a writ of mandamus for directing the respondents to grant pro-rata pension in favour of the petitioner from the date of his discharge with all consequential benefits along with interest @14% in terms of judgment dated 09.01.2019 in W.P.(C) No. 10026/2016 and judgment dated 08.02.2021 in W.P.(C) No. 9905/2019.

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4. Learned counsel for petitioner submits that the petitioner was enrolled in Indian Air Force on 05.08.1984 and underwent required training successfully. Petitioner had appeared in the interview and selection to the post of Junior Accountant in Power Grid Corporation of India Ltd. after obtaining “No Objection Certificate” dated 24.06.2005 from respondents. The petitioner was offered to join the above-said post in Power Grid Corporation of India Ltd. in terms of the appointment letter dated 30.06.2005. The petitioner stood discharged from the services of IAF on 02.08.2005 after rendering regular service of 11 years and 27 days.

5. Learned counsel for the petitioner further submits that by virtue of Notification no. 28/30/2004-P & PW (B) dated 26.05.2005 and in terms with Rule 37 of Central Civil Services (Pension) Rules, 1972, all employees of Central Government are entitled to grant of pro-rata pension and that in view of judgment dated 09.01.2019 rendered in W.P.(C) No. 10026/2019, titled as ***Govind Kumar Srivastava Vs. Union of India & Ors.***, which has been upheld by the Hon’ble Supreme Court, respondents be directed to grant pro-rata pension with arrears to the petitioner for their past services in Air Force.

6. Notice issued.

7. Mr. Pavan Narang, learned counsel has entered appearance on behalf



of respondents on advance notice and submits that the case of petitioner shall be considered and his pro-rata pension shall be released, if found eligible.

8. Upon hearing, we dispose of the present petition with direction to respondents to consider the case of petitioner and release pro-rata pension, if found eligible, with appropriate interest in terms of judgment dated 09.01.2019 in W.P.(C) No. 10026/2019 and judgment dated 08.02.2021 in W.P (C) 9905/2019 passed by this Court.

9. With directions as aforesaid, the present petition is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

JULY 18, 2022

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