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

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Date of decision: February 23, 2023

+ W.P.(C) 2349/2023 & CM. APPL. 8994/2023 (exemption)

RAM PRAKASH

..... Petitioner

Through: Mr. Ankur Chhibber, Mr. Himanshu Tiwari, Mr. Anshuman Mehrotra, Mr. Nikunj Arora, Mr. Arjun Panwar and Ms. Smaridhi Bhutt, Advocates

versus

UNION OF INDIA AND ORS

.... Respondents

Through: Mr. Rahul Sharma, CGSC with Mr. Jitendra Kumar Tripathi, GP, Mr. Abhishek Gupta, GP, Mr. C. K. Bhatt and Mr. Ayush Bhatt, Advocates

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T (oral)

1. Vide the present petition, petitioner is seeking quashing of letter dated 21.12.2021 issued by the respondents whereby the request of petitioner for grant of pro rata pension was rejected and directions to the respondents to grant pro rata pension to the petitioner from the date of his discharge i.e., 09.04.2013, along with all consequential benefits in terms of judgment dated 24.11.2020 passed by this Court in W.P. (C) No.98/2020 as well as other judgments passed by this Court and Hon'ble Supreme Court.

2. Notice issued.

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3. Learned counsel for respondents accepts notice and has fairly conceded that the case of the petitioner shall be considered as per Policy dated 04.11.2022 if he is found eligible.
4. In view of above, we hereby direct the respondents to consider the case of petitioner in terms of Policy dated 04.11.2022 if petitioner is found eligible and take a final decision within six weeks from today and communicate the decision thereof to the petitioner within one week thereafter with reasoned order.
5. With the aforesaid directions, the present petition is disposed of.
6. Pending application also stands disposed of.
7. Needless to say, if the petitioner feels aggrieved by the decision of the respondents, he may approach the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

FEBRUARY 23, 2023/rk