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

% ***Date of decision: 23rd March, 2023***

+ **W.P.(C) 6360/2021**

LOKESH KUMAR ARYA

..... Petitioner

Through: Mr. Ankur Chhibber & Mr.
Nikunj Arora, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Anil Soni, CGSC for UOI.

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, the petitioner is seeking following relief:

“a.) Issue a Writ of Mandamus directing the Respondents to extend the benefit of old pension scheme to the Petitioner in terms of the Notification dated 22.12.2003, MHA letter dated 06.08.2004 and in accordance with CCS (Pension) Rules, 1972 by treating him as members of an Armed Force of the Union of India as held in case of Cr. Appeal No. 439/1980 titled as Akhilesh Prasad v Union Territory of Mizoram and other judgments passed by the Apex Court as well as this Hon’ble Court also to grant the same benefit as is being given to the Army, Navy and Air Force.”

2. Learned counsel on behalf of the petitioner submits that the issue raised in the present petition is squarely covered by the judgement rendered by this Court in Pawan Kumar And Ors. vs. Union of India And Ors. W.P. (C) 12712/2021 decided on 11.01.2023.

3. Accordingly, we hereby dispose of the present petition directing the

respondents to decide the case of the petitioner within two months and extend the benefits thereof on the lines of the aforementioned judgment, if he is otherwise eligible.

4. The present petition is disposed of.

5. Needless to state that if the petitioner is still aggrieved by the decision of the respondents, he may challenge the same before the appropriate forum.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

MARCH 23, 2023
S.Sharma

