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

% *Date of decision: February 8, 2023*

+ W.P.(C) 12214/2021 & CM APPL. 38256/2021

EX HC GD MAHAVIR PRASAD Petitioner

Through: Mr. O.P. Aggarwal and Mr. Sansar
Kumar, Advocates

versus

UNION OF INDIA AND OTHERS Respondents

Through: Mr. Arnav Kumar, CGSC with Mr.
Harshil Manchanda, Advocate for R-1
to 5
Mr. Akshit Kapur, Adv for
Respondent Nos. 7 & 8 (SBI)

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 writ petition, petitioner is seeking a direction to the respondents for not recovering the excess pension as was found to be paid for the period from 01.01.2016 to upto May, 2021.
2. Petitioner is further seeking quashing of the Demand Notice No.CPPC/MK/7283 dated 14.06.2021 issued by the respondent No.7, regarding recovery of excess amount of pension paid to the petitioner along with the cost of the petition in his favour and against the respondents.
3. Learned counsel for petitioner submits that issue(s) raised in this petition has already been decided by the Hon'ble Supreme Court in **S.L.P.**

(Civil) 16442/2021 titled “*Union of India & Ors. vs. Ex. HC/GD Virender Singh*”, however, the said judgment was passed after filing of counter-affidavit by respondents.

4. Accordingly, we hereby dispose of the present petition by giving liberty to petitioner to make a representation before the concerned respondents stating therein the afore-mentioned judgment passed by the Hon’ble Supreme Court. On receipt of the same, the respondents are directed to decide the same within four weeks and communicate decision thereof, with a reasoned order within one week thereafter to the petitioner.

5. Needless to say, if the petitioner is aggrieved by the decision of the respondents on his representation, he may approach the appropriate forum.

6. Pending application also stands disposed of.

(SURESH KUMAR KAIT)
JUDGE

(NEENA BANSAL KRISHNA)
JUDGE

FEBRUARY 8, 2023/rk