

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 2478 of 2022

Somra Oraon, s/o. late Panda Oraon, resident of Mohalla Raghutoli, P.O.
Harmu, P.S. and Dist. Lohardaga, Jharkhand

..... **Petitioner**

Versus

1. The Union of India through General Manager, South Eastern Railway, Garden Reach, P.O. & P.S. Garden Reach, Kolkata-700043.
2. Divisional Railway Manager, South Eastern Railway, Ranchi Division, Ranchi, P.O. & P.S. Hatia Railway Colony, Hatia, Ranchi-834003.
3. Divisional Personnel Officer (Settlement), South Eastern Railway, Ranchi Division, Ranchi, P.O. & P.S. Hatia Railway Colony, Hatia, Ranchi-834003.
4. Divisional Finance Manager (Pension), South Eastern Railway, Ranchi Division, Ranchi, P.O. & P.S. Hatia Railway Colony, Hatia, Ranchi-834003.
5. The Branch Manager, State Bank of India, Near Bara Talab, Lohardaga Branch, P.O., P.S. and Dist. Lohardaga, Jharkhand.

..... **Respondents.**

CORAM: HON'BLE DR. JUSTICE S.N.PATHAK

For the Petitioner : None
For the Respondents : Mr. Ravi Prakash, CGC

06/ 06.08.2024 None appears for the petitioner. However, counsel for the respondent-UoI is present.

2. Petitioner has approached this Court with a prayer for direction upon the respondents to fix the final pension of the petitioner @ Rs.17500/- per month i.e. 50% of the last pay drawn payable from 03.01.2019.

3. It is the specific case of the petitioner that though he is entitled for fixation of pension @ Rs.17,500/- p.m. but the respondents have fixed his pension @ Rs.13,600/- per month without assigning any reason from the initial date of superannuation i.e. 03.01.2019. Further prayer has been made to refund the deducted amount along with interest.

4. Mr. Ravi Prakash, learned counsel for the respondent-UoI draws the attention of the Court towards para-5 of the counter-affidavit and submits

that allegation of the petitioner is totally baseless and beyond the facts. As per the Pension Payment Order dated 12.04.2019 which is at Annexure-1 to the writ petition and as per settlement dues calculation papers, it is found that the petitioner is getting Rs.13,600/- as pension which is fully correct. The matter of fact is that his pension has been commuted @ 40% of the basis of Rs.17,500/- and accordingly, on account of commutation of pension he has already been paid a lump sum amount of Rs.7,03,164/-. A detailed chart has already been given in para-5 of the said counter-affidavit.

5. In view of specific averments made in para-5 of the counter-affidavit, it appears that petitioner is not entitled for any further amount. Since petitioner has already received the pensionary benefits, nothing remains to be adjudicated by this Court.

6. The writ petition merits dismissal and the same is hereby dismissed.

7. However, liberty is reserved with the petitioner to approach the competent authority raising any further grievances if exists, which shall be considered in accordance with law.

(Dr. S.N. Pathak, J.)

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