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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 9865/2024

GAURI SHANKER SHUKLA & ORS.

.....Petitioners

Through: Mr.Shrutanjaya

Bhardwaj

&

Mr.Omkar Hemanth, Adv.

Versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Rajesh Gogna, CGSC with

Ms.Tanisha Verma, Ms.Priya Singh, Adv. &

Mr.Shiv Kumar Singh, SI, CRPF.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

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22.07.2024

CM APPL. 40473/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 9865/2024 & CM APPL. 40472/2024 (interim relief)

3. The petitioners, who superannuated from the Central Police Reserve Force (CRPF) about 11 to 14 years ago and had, at that stage, availed the benefit of the pension commutation scheme as per Rule 10A of the Central Civil Services (Commutation of Pension) Rules, 1981, have approached this Court with a grievance that the said pension commutation scheme framed by the respondents is arbitrary and illegal. Learned counsel for the petitioners submits that while the respondents have released a lumpsum amount of 40% of the



petitioner's pension of 8/9 years, they have withheld 40% of the pensionary benefits for a period of 15 years. This, he contends is highly unjust.

4. After some arguments, he submits that since the petitioners have approached this Court without first approaching the respondents, they would, for the present, be satisfied in case, they are granted liberty to file a representation to the respondents seeking reliefs as sought in the present petition with the directions to the respondents to decide the same in a time bound manner.
5. Learned counsel for the respondents, who appears on advance notice, has no objection to this request being made.
6. The writ petition is, accordingly, disposed of as not pressed with liberty to the petitioners to file a representation to the respondents within a period of four weeks, which representation will be disposed of by the respondents within a period of twelve weeks from the date of receipt of the representation by passing a reasoned and speaking order.
7. Needless to state, this Court has not expressed any opinion on the merits of the petitioner's claim and therefore, in case, the petitioners are aggrieved by any order passed by the respondents, it will be open for them to seek legal recourse as permissible in law.

REKHA PALLI, J

SHALINDER KAUR, J

JULY 22, 2024/kk