$~71

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

\+ W.P.(C) 2316/2025

ASHOK KUMAR PRASAD .....Petitioner

Through: Mr. Varun Thakur and Mr. Ram Karan, Advocates.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Jai Prakash, SPC for R-1.
Mr. Chandra Prakash, Advocate for IOB.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

O R D E R

% **24.02.2025**

1. Issue notice. Mr. Jai Prakash, learned counsel, accepts notice on behalf of Union of India. Mr. Chandra Prakash, learned counsel, accepts notice on behalf of Indian Overseas Bank.

2. No notice is required to be issued to Reserve Bank of India – respondent No.2, as no allegations have been made against it, nor is any relief sought against it.

3. The petitioner has filed this petition, under Article 226 of the Constitution, for payment of pensionary benefits and other dues in terms of the Pension Regulations, 1995, of the respondent No.3 – Indian Overseas Bank ["Bank"].

4. The petitioner was discharged from the services of the Bank by an order dated 28.10.1998. The operative portion of the order specifically

records that the discharge is with superannuation benefits, as would be due otherwise at the relevant stage, and without disqualification from future employment.

5. The petitioner's challenge to the order has admittedly been unsuccessful, all the way up to the Supreme Court. The order of the Supreme Court dated 20.02.2017 in SLP(C) No. 26866/2014 records a statement on behalf of the Bank that if any dues are still unpaid, the same would be paid.

6. The petitioner has thereafter addressed legal notices to the respondents, but received no response.

7. I am of the view that the matter, at this stage, requires to be appropriately redressed by the Bank itself. The order of the Bank dated 28.10.1998 is clear, that the petitioner was to be paid certain benefits in terms thereof. The orders of the Appellate Authority, of this Court and of the Supreme Court uphold the order of the Disciplinary Authority. The respondent – Bank is therefore directed to compute the amount payable to the petitioner in terms of the order dated 28.10.1998 within a period of four weeks from today, and to release the said amount, including any arrears, within a period of four weeks thereafter. If the petitioner is entitled to pension, the respondent – Bank will also commence payment of pension within the aforesaid period.

8. In the event that Bank takes the position that no amount is due to the petitioner under the said order, in terms of the Bipartite Settlement dated 14.12.1966 referred to therein or relevant Service Rules, a reasoned order will be communicated to the petitioner within a period of four weeks from today.

9. All rights and remedies of the petitioner remain reserved.

10. The writ petition is disposed of with these directions.

PRATEEK JALAN, J

FEBRUARY 24, 2025
SS/SD/