



2025:AHC-LKO:51785

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 9856 of 2025

Rajendra Prasad Yadav And Another

.....Petitioner(s)

Versus

U.O.I. Ministry Of Railways Thru. Secy. Railway
Board New Delhi And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Dinesh Kumar Shukla
Counsel for Respondent(s)	:	A.S.G.I.

Court No. - 8

HON'BLE MANISH MATHUR, J.

1. Heard learned counsel for petitioners and Mr. Varun Pandey, learned counsel for opposite parties.

2. Petition has been filed seeking following reliefs:-

"I. Issue a Writ, order or direction in the nature of Certiorari the of quashing provision Railway Pension (Commutation) Rules 1993 and Master Circular No.61 (2019) RBE No. 211/2019 dated 16.12.2019 issued by Director Finance (Estt.) Railway Board, Ministry of Railways, Government of India, to the extent it provides that the restoration of full pension of an employee will be done after completion of 15 years from the date of actual commutation as contained in Annexure No.1 to this Writ Petition after of Summoning the records.

II. Issue a Writ, order or direction in the nature of Mandamus for restoration of the Commuted pension after expiry of 10 years 11 months or at best 11 years instead of 15 years as provided in the Master Circular No.61 (2019) RBE No. 211/2019 dated 16.12.2019.

III. Issue a Writ, order or direction in the nature of Mandamus directing the Opposite Parties not to deduct the amount of commuted portion of pension from the monthly pension after the expiration of 10 years 11 months or at best 11 years.

IV. Issue a writ, order or direction in the nature of mandamus commanding the opposite parties to refund the excess amount of commuted pension, already recovered from the pension of the petitioners....."

3. Learned counsel for the parties admit that the case of the petitioners are squarely covered by judgment of this Court in WRIT - A No. - 5617 of 2024 (**Dr. Om Prakash Srivastava And Others v. State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Finance Lko 3 Others**) and other connected matters decided on 28.05.2025.

4. Considering aforesaid, the writ petition is **disposed of** finally providing that petitioners of this writ petition shall also be entitled to benefit of judgment rendered in WRIT - A No. - 5617 of 2024 (**Dr. Om Prakash Srivastava And Others v. State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Finance Lko 3 Others**).

(Manish Mathur,J.)

September 1, 2025

Satish