

21.01.2026
Ct. No.4
Sl. No.11
akd

F. M. A. 1439 of 2024
(C. A. N. 1 of 2024)

[Ganapati Mahato -Vs- Union of India & Ors.]

Mr. Vinay Mishra
Mr. Shambhunath Bhattacharya
... ... for the appellant

Ms. Chandreyi Alam
... ... for the UOI

1. Heard the learned Advocate for the appellant as well as the learned Advocate representing the respondent-Union of India.
2. The appellant is a dismissed member of the Central Reserve Police Force (CRPF). There is no dispute that he has received the terminal benefits.
3. The learned Advocate for the appellant submits that pension being a right, the appellant should have been given retiral/pensionary dues. He, however has not pointed out any provision under which a dismissed employee may sustain a claim for pension/retiral dues.
4. The learned Single Judge, therefore, dismissed the writ petition.
5. We find no infirmity in the decision of the Hon'ble Single Judge in the writ proceeding, requiring any interference by this court in an intra-court appeal.
6. The learned Advocate for the appellant/writ petitioner submits that the appellant should at least be granted compassionate allowance in terms of Rule 41 of the Regulation of Pension and Gratuity Rules. There is nothing on record to

suggest that the appellant has ever made any such claim before the authorities, we, therefore, refrain from making any expression of opinion on the said claim.

7. The appeal is accordingly, dismissed. The application being CAN 1 of 2024 is also dismissed.

8. Urgent Photostat certified copy of the order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)