

(2023) 03 DEL CK 0173

In the Delhi High Court

Case No : Civil Writ Petition No. 2986 Of 2023

Pradeep Kumar Agarwal

APPELLANT

Vs

Union Of India & Ors.

RESPONDENT

Date of Decision : 24-03-2023

Acts Referred:

Citation : (2023) 03 DEL CK 0173

Hon'ble Judges : Suresh Kumar Kait, J;Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Shivam Srivastava, Jatin Singh, Avshreya Pratap Singh Rudy

Final Decision : Dismissed

Judgement

1. Vide the present petition, petitioner is seeking directions to respondents to pay an interest @ 18% per annum to petitioner over the pensionary benefits w.e.f. 21.02.2023 till realization, to pay an amount of Rs.5 lacs in form of monetary compensation and Rs.2 lacs towards legal expenses borne by the petitioner.

2. It is not in dispute that petitioner has retired from service on 31.08.1986 and the since pensionary benefits were not granted by the respondents, he filed C.W. No. 7273/1999 which was disposed of vide order dated 15.09.2000 observing as under:

"Learned counsel for the respondents, on instructions from Lt.Ruby Singh, who is present in Court, states that the deficiency in the pensionable service has been condoned and the forms have already been sent and that the petitioner would get his pension in accordance with the Rules.

In view of the above statement, the petition does not survive and the same is dismissed as not surviving. However, the petitioner will be at liberty to approach this Court for revival of this petition if the communication received by him is contrary to the statement made by the counsel for the respondents.

3. It is further not in dispute that pursuant to the aforesaid order dated 15.09.2000, petitioner had received pension as well as arrears. Now, vide the present petition, petitioner seeks interest on arrears which is barred by virtue of delay and laches.

4. In view of above, present petition is dismissed.