

T.A. No. 370/2010

[WP(C) No.3058/2007 of Delhi High Court]

10.03.2010

Present: None for the petitioner.

Sh. Ankur Chibber, Advocate, counsel for the respondents.

None appears for the petitioner despite intimation sent to the petitioner and to his counsel. However in the present case the petitioner is on bail and he was convicted under section 302 IPC and sentenced to life imprisonment. Petitioner's pension was totally stopped. Therefore, petitioner filed the present petition praying that the order dated 21.11.1985 passed by Ministry of Defence (Navy) be set aside and his pension may be restored along with 18% interest.

Learned counsel for the respondents submits that they will re-examine the matter and consider the question of grant of pension to the petitioner as per the Navy Regulations. Respondents may do so and pass an appropriate order in accordance with law within a period of six weeks. In case any pension is payable to him

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then same may be paid to the petitioner along with arrears from the year 2005 in the light of the decision given by Hon'ble Supreme Court in the case of **Rameshwar Yadav vs. Union of India & Another – 1989 Supp (2) SCC 565**. Petition is disposed of accordingly. No order as to costs.

**A.K. MATHUR**  
(Chairperson)

**M.L. NAIDU**  
(Member)

**New Delhi**  
**March 10, 2010**