



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSB/351/2018</u> Brij Mohan Singh --Petitioner Versus Union of India & Others --Respondents <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Pankaj Purohit, J.</u> Mr. Priyansh Mittal, Advocate, i/b Mr. Abhijay Negi, Advocate for the petitioner. Mr. Piyush Tiwari, Central Govt. Standing Counsel, for the Union of India. (2) Petitioner was employed as Administrative Officer with Border Road Organisation, who retired from service on 30.11.16. On the day petitioner retired, an order of punishment was passed against him, whereby following punishment was imposed: <i>"8. NOW THEREFORE, the President, in exercise of the powers conferred upon him under Rule 12 of CCS (CC&A) Rules, 1965, hereby imposes the penalty of 'reduction to a lower stage in the time scale of pay by two stages till his retirement' on Shri Brij Mohan Singh, Adm Officer (GO No. 3484W) of Border Road Organisation."</i> (3) By means of this writ petition, petitioner has sought the following reliefs: <i>"A) To Issue a writ, order or direction in the nature of mandamus commanding the respondent authorities no.1 & 4 to re-fix the pension, gratuity, commutation benefit and other post retirement benefits admissible to petitioner w.e.f. 30-11-2016 according to the band pay of</i>



			Rs.69,000/-, <i>B) To issue a writ order or direction in the nature of certiorari quashing the order dated 30-11-2016 passed by respondent no. 5 which has illegally effected the retiral benefits of petitioner.</i> <i>C) To issue a writ, order or direction in the nature of mandamus commanding the respondent authorities no. 1 & 4 to release the gratuity of the petitioner along with 18% interest for delay payment of gratuity to petitioner.”</i> (4) Mr. Piyush Tiwari, learned Counsel appearing for Union of India, has produced in Court certain documents, supplied to him by the competent authority in Shivalik Project of Border Road Organisation, which are taken on record. Based on those documents, learned Counsel for the Union of India submits that a revised Pension Payment Order was issued in favour of petitioner on 18.1.2018, whereby petitioner’s pension has been fixed at ₹33,994, which is fifty per cent of ₹67988 i.e. average emoluments of last ten months paid to the petitioner. Thus it is contended that pension admissible to the petitioner has now been sanctioned and the relief as claimed in the writ petition do not survive. (5) In view of the statement made by Mr. Piyush Tiwari, appearing for Union of India, no further orders are needed to be passed. Writ petition is, accordingly, disposed of. However, petitioner shall be at liberty to seek recall of this order, if whatever is stated is found to be incorrect. (Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.) 3.9.2026 Pr
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