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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1875/2013, CM APPL. 14622/2014 & 9378/2022

4 **FEDERATION OF STATE BANK OF INDIA AND ORS**

..... Petitioner

Through: Mr. P. N. Misra, Sr. Adv. with Mr. Debesh Panda, Mr. Subash Chandra Sagar, Mr. Hemant Kumar Sagar and Mr. E. C. Vidya Sagar, Advs.

versus

THE UNION OF INDIA AND ORS

..... Respondent

Through: Mr. Kavindra Gill, SPC for UOI
Mr. Chetan Sharma, ASG with
Mr. Rajiv Kapur, Mr. Akshat Kapur,
Mr. Amit Gupta, Mr. Vinay Yadav,
Mr. Saurabh Tripathi, Mr.
Vikramaditya Singh and Mr. Aditya
Saxena, Advs. for SBI

+ W.P.(C) 8095/2016

5 **UMESH SHARMA**

..... Petitioner

Through: Mr. Alex Joseph, Mr. Alan Sabu
Mlauil and Mr. Mayank Diwedi,
Advs.

versus

THE STATE BANK OF INDIA

..... Respondent

Through: Mr. Chetan Sharma, ASG with
Mr. Rajiv Kapur, Mr. Akshat Kapur,
Mr. Amit Gupta, Mr. Vinay Yadav,
Mr. Saurabh Tripathi, Mr.
Vikramaditya Singh and Mr. Aditya
Saxena, Advs. for SBI

+ W.P.(C) 9679/2016

6 **MANOHAR LAL**

..... Petitioner

Through: Mr. Alex Joseph, Mr. Alan Sabu
Mlauil and Mr. Mayank Diwedi,
Advs.



Mr. R. Abhishek, Adv.

versus

THE STATE BANK OF INDIA

..... Respondent

Through: Mr. Chetan Sharma, ASG with
Mr. Rajiv Kapur, Mr. Akshat Kapur,
Mr. Amit Gupta, Mr. Vinay Yadav,
Mr. Saurabh Tripathi, Mr.
Vikramaditya Singh and Mr. Aditya
Saxena, Advs. for SBI

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

02.05.2024

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1. On April 13, 2023, this Court had passed the following order:-

“1. Learned senior counsel for the petitioner submits that a Committee was constituted on 10.02.2016 by the Ministry of Finance, Government of India as noticed by order dated 17.02.2016 of this Court. He submits that the Committee submitted a report in October, 2016, which led to amendment of the Regulations on 04.10.2017, which are also impugned herein. He submits that though the Committee submitted its report and considered the representations of the petitioners, however, there are several discrepancies in the report and the Committee has erred in not considering some of the salient features of their representations.

2. Learned Additional Solicitor General appearing for the respondents disputes the same. He, however, without prejudice submits that in case a representation is given by the petitioners, the competent authority of Ministry of Finance shall examine the same without prejudice to their rights and contentions and without admitting any error or lapse on the part of the earlier Committee report.

3. Without prejudice to the rights and contentions of the parties, let the petitioner submit a representation within one week to the Ministry of Finance, through Secretary and as proposed by the



learned Additional Solicitor General, a panel of experts/expert committee be constituted by the Ministry of Finance to examine the grievances of the petitioners and in case any merit is found in the grievances, appropriate action be taken before the next date of hearing, however, in case respondents decide not to accede to the request, the reasons thereof be communicated to the Court before the next date of hearing.

4. It is clarified that the above exercise is without prejudice to the rights and contentions of the parties and without accepting the contentions of the petitioners that there is any error in the earlier report.

5. List on 31.07.2023.

6. Keeping in view of the fact that the issue relates to pension and has been pending for a long time, we expect the respondents to make an expeditious consideration of the representations of the petitioners.”

2. According to Mr. Chetan Sharma, learned Additional Solicitor General of India, pursuant to the above order, the respondent No.1 has issued a notification dated March 18, 2024, and resultantly, the grievance of the petitioner in these petitions has been answered.

3. This submission is contested by Mr. P. N. Misra, learned Senior Counsel for appearing for the petitioner in W.P.(C) No. 1875/2013 by stating that the benefit sought to be given is prospective w.e.f November 10, 2023, and in that sense, the benefits are not being granted from the date of retirement of the employees.

4. Mr. Mishra and other counsels states that the petitioners shall not challenge the notification dated March 18, 2024, but would argue the petitions on the prayers as sought in these petitions.

5. If that be so, appropriate shall be for counsel for the parties to file the written submissions along with the judgments they want to rely upon on the



issue which arises for consideration within eight weeks.

6. List on August 06, 2024.
7. A copy of this order be kept in all the petitions.

V. KAMESWAR RAO, J

RAJNISH BHATNAGAR, J

MAY 2, 2024/ds