



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27135 of 2024

Mahesh Prasad Dalal

....

Petitioner(s)

Mr. Ramesh Chandra Nayak, Adv.

-versus-

Union of India & Ors.

....

Opposite Party(s)

Mr. Prasanna Kumar Parhi, DSGI

Mr. D.R. Bhokta, CGC

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order

No.

ORDER

14.11.2024

02.

1. This matter is taken up through hybrid arrangement.
2. In filing this Writ Petition, the Petitioner being a retired employee of the Opposite Parties/Bank, has made the following prayer:-

"It is therefore humbly prayed that this Hon'ble Court may graciously be pleased to direct appropriate writ or order, quashing the Regulation 41 (Chapter-8) of UCO Bank (Employees) Pension Regulation, 1995, being contrary to the interest of retired employees as the commuted amount of pension is being recovered in just 10 years and 11 months as per interest rate formula but the same is continued to be recovered by the Respondents till 15 years, to hold the same to be illegal and arbitrary being ultra-virus of the provisions of the constitution of India as well as on the ground that the same is causing undue enrichment to the Respondents.

And direct the Respondents to restore the Petitioner's full pension on expiry of 11 years."

3. In such view of the matter, let notice be issued to the Opposite Parties.

Signature Not Verified

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Signed by: AYASKANTA JENA
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa
Date: 16-Nov-2024 11:30:36





4. Learned counsel for the Union of India waives of notice on behalf of the Opposite Party Nos.1 & 2. Let two spare copies of the brief be served on him within three working days hence.
5. Issue notice to the Opposite Party Nos.3 & 4 by Registered Post with A.D./Speed Post making it returnable by 18th December, 2024. Requisites for issuance of notice shall also be filed within three working days hence.
6. At this juncture, considering the further submission of learned counsel for the Petitioner, this Court, as an interim measure, directs the Opposite Parties not to deduct the commuted amount of pension from the Petitioner till the next date of listing of this matter.
7. List this matter on 19th December, 2024.

(Dr. S.K. Panigrahi)
Judge

Ayaskanta

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