

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal (Writ) No. 333/2026

In

S.B. Civil Writ Petition No.5912/2011

1. Ex. Groom Hussain Khan S/o Shri Sultan Khan, Aged About 65 Years, Resident of Village And Post Office Beri Chhoti, District, Nagaur (Now) A-101, Mahant Colony, Khatipura, Jaipur (Since Deceased) Through Legal Heirs -

1/1 - Munira Bano W/o Late Groom Hussain Khan, Aged About 69 Years, Resident of Village And Post Office Beri Chhoti, District, Nagaur (Now) A-101, Mahant Colony, Khatipura, Jaipur.

----Appellant/Petitioner

Versus

1. Union of India, Through Secretary, Ministry of Defense, New Delhi-01.
2. Chief of Army Staff, New Delhi.
3. Commandant Indian Military Academy, Dehradun.
4. C.G.O. Estt. Officer Indian Military Academy, Dehradun.

----Respondents

For Appellant(s)	:	Mr. Mina Ram Yadav
For Respondent(s)	:	Mr. Sanjay Mishra for UOI.

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment

08/05/2026

1. The present appeal is against the order passed by the learned Single Judge whereby, the challenge is to the order of removal from services on 23.06.1983.
2. The appellant was appointed as a Groom (Civilian) in the Armed Forces on 17.05.1969. It is his contention that he was not

given proper opportunity to put up his defence and has been arbitrarily and illegally removed from services. He has not been given any pensionary benefits, nor has he been given any GPF amount. The writ petition was filed after a period of 28 years from the date of removal of service.

3. The learned Single Judge has noted that the respondents had no record available with them and the same had been burned in the year 2006. It is also not expected from the respondents to keep the record after a period of 28 years.

4. We find that since the record was weeded out way back in the year 2006 and the writ-petitioner claimed for pension after he had been removed from services is not made out under the Service Rules. No case for interference was warranted.

5. As regards the claim for the amount of GPF, since there is no document of non-payment or demand at that relevant time by the concerned writ-petitioner, the same also is not liable to be paid.

6. The order dated 17.02.2026 passed by the learned Single Judge, therefore, does not warrant any interference.

7. The present Special Appeal (Writ) is accordingly dismissed.

8. All pending applications stand disposed of.

(BIPIN GUPTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ