

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

D.B. Special Appeal Writ No. 1217 / 2016

Shiv Charan Lal

----Appellant

Versus

State Of Raj & Ors

----Respondent

For Appellant(s) : Mr. Vijay Pathak, Adv.

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MR. JUSTICE KAILASH CHANDRA SHARMA

Order

03/04/2017

Counsel for the appellant submits that apart from merit the issue which he has raised in the instant special appeal, the penalty inflicted upon the deceased employee withholding 100% of his pension is shockingly disproportionate to the alleged misconduct committed by him and that apart the employee died during pendency of the proceedings and the old widow is before the court and what wrong he might have committed at least she was never at fault and in the absence of family pension to the extent permissible if not extended it has become miserable for her to take care of her regular need/requirement and at least to this extent she needs indulgence of this court.

Issue notice to the respondents of the appeal and so also of stay application, as to why the appeal may not be disposed of at the admission stage. Notices be given dasti, if desired.

(KAILASH CHANDRA SHARMA)J.

(AJAY RASTOGI)J.