

I.A. 3/2016 in Civil Appeal No(s). 7758/2014

STATE OF U.P &amp; ORS

Appellant(s)

VERSUS

YOGESH CHANDRA GAUTAM &amp; ANR

Respondent(s)

(For directions and office report)

Date : 04/07/2016 This application was called on for hearing today.

CORAM :

HON&amp;#39;BLE MR. JUSTICE SHIVA KIRTI SINGH

HON&amp;#39;BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Mr. P.N. Misra, Sr. Adv.

MR. Abhishek Kumar Singh, Adv

Mr. Abhish Kumar, Adv.

For Respondent(s) Mr. Abhishek Anand Rai, Adv.

Ms. Divya Pandey, Adv.

Mr. Srilok Nath, Adv.

Dr. Sanjay Gupta, Adv.

Dr. Sushil Balwada, Adv.

UPON hearing the counsel the Court made the following

## O R D E R

Heard learned counsel for the parties.

The applicant-respondent no.1 has an apprehension that if he files affidavit disclosing the correct facts instead of stating what is in para 5 of the format of the affidavit, payment of pension to him may be delayed.

Learned counsel for the State of U.P. has submitted in reply that the stay granted by this Court in C.A.No. 7758 of 2014 will be kept in mind by the concerned authority and in that light pension payable to the respondent no. 1 shall be paid to him without any delay if

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he files an affidavit disclosing the truth. There is no need to clarify that the concerned authority will have to keep in mind the order of stay passed by this Court while determining the pension payable to the respondent. Keeping that in view, the authority concerned shall accept the prayer of the applicant for grant of lawful pension with expedition if he files application to that effect.

I.A. is disposed of accordingly.

Hearing of appeal be expedited.

I.A. NO. 2 shall be considered along with main matter.

(Madhu Bala)

(Madhu Narula)

Court Master

Court Master