

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Civil)...../2012
CC 13126/2012(From the judgement and order dated 17/11/2010 in LPA No.1562/2010, of The
HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

UNION OF INDIA & ORS. Petitioner(s)

VERSUS

R.K. MALHOTRA Respondent(s)

With I.A.1(C/delay in filing SLP and office report)

Date: 15/03/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE VIKRAMAJIT SENFor Petitioner(s) Mr. Rakesh Kr. Khanna, ASG.
Mr. Mohan Prasad Gupta, Adv.
Mr. Ajit Sharma, Adv.
Mr. Chandan Kumar, Adv.
Mr. B.V. Balaram Das, AOR

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Mr. Khanna, learned ASG, appearing for the petitioners, submits that the respondent took voluntary retirement from service and inspite of that prayed for disability pension. According to Mr. Khanna, a service-man, who takes voluntary retirement is not entitled to disablement pension, as had been held by this Court in Union of India and Others Vs. Ajay Wahi, reported in [2010 (11) SCC 213].

Having regard to the above, let notice issue on the application for condonation of delay, as also on the Special Leave Petition.

In the meantime, the observations made by the learned Single Judge regarding entitlement of the respondent to disability pension, shall remain stayed.

|(Sheetal Dhingra)
|Court Master|(Juginder Kaur)
|Assistant Registrar

