



2026:DHC:3000-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 13137/2023

MS. KANTA BHATIAPetitioner

Through: Mr. Suresh Sharma, Adv.

versus

UNION OF INDIA THROUGH SECRETARY,
MINISTRY OF COMMUNICATION AND

INFORMATION TECHNOLOGY AND ORS.Respondents

Through: Mr. Vijay Joshi, CGSC & Mr.
Vinod Kumar Tiwari, GP for R1 and R3.

Mr. Vivek Goyal, CGSPC with Mr. Aryan
Aggarwal and Mr. Gokul Sharma, Advs. for
R2.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

JUDGMENT(ORAL)

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09.04.2026

C. HARI SHANKAR J.

1. This writ petition assails order dated 1 September 2023 passed by the Central Administrative Tribunal¹ in OA 3231/2019, which dealt with the pension to which the petitioner, who was the applicant before the Tribunal, was entitled.

2. According to the petitioner, he was entitled, with effect from 1 January 2016, to pension of ₹ 44,720/-, applying the multiplier of 2.57 to the pension of ₹ 17,399/- to which he was, according to him again,

¹ "the Tribunal" hereinafter



entitled as on 1 January 2016.

3. The manner in which the petitioner had worked out his pension is reflected in Para 4 of the impugned order and may be reproduced as under:

“The applicant in his grounds of appeal as well as through the arguments made by his learned counsel has emphasized that as per the calculation sheet furnished by him, his monthly pension should have been Rs. 44,720/- per month w.e.f. 1.1.2016. The calculation as furnished by the applicant his OA in Paragraph 4.6 is as follows:-

Pension as on 01.01.2006

Basic Pension Rs.8285/-

Add 50% DP Rs.4143/-

Add 24 % DP Rs.4971/-

Pension as on 30.4.2006 Rs. 17,399 or say Rs.17,400/-

Pension as on 1.1.2016

On 31.12.2015 Rs. 17,400 X 2.57= Rs. 44,718 or Rs.44720/-“

4. As against this, the respondents did not factor in the 50% and 24% DP which had been taken into account by the petitioner. It is Mr. Joshi's contentions that the petitioner is not entitled to these allowances.

5. Besides, the respondents worked out the basic pension as ₹ 7,399/- instead of ₹ 8,285/-. To this amount of ₹7,399/-, the respondents applied the multiplier of 2.57, working out the pension on and after 1 January 2016 as ₹ 21,800/-.

6. The Tribunal appears to have essentially proceeded on the ground that petitioner did not seriously dispute the manner in which



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the respondent had worked out the petitioner's pension. Also, the Tribunal has not independently examined the aspect of whether the petitioner was entitled while calculating his pension as on 1 January 2016, to 50% and 24% DP.

7. To our mind, the matter requires to be re-examined by the Tribunal.

8. According the impugned judgment is quashed and set aside.

9. OA 3231/2019 stands remanded to the Tribunal for *de novo* examination.

10. Let both parties present themselves before the Tribunal on 24 April 2026.

11. All questions of law and fact are kept opened. The Tribunal would proceed uninfluenced by the impugned order before us.

12. The petition is disposed of in the aforesaid terms.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

APRIL 9, 2026/At