

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

105.

COCP NO. 3142 of 2014

DATE OF DECISION: April 30, 2015

Harjit Singh

.....Petitioner

VERSUS

Sh. Sarvesh Kaushal, IAS and another

....Respondents

CORAM: HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Dr. Naresh Kaushik, Advocate,
for the petitioner.

Mr. Harkesh Manuja, Additional Advocate General, Punjab,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the respondents states that as per the directions issued by this Court vide order dated 15.01.2013, the claim of the petitioner has been considered and a speaking order dated 19.12.2014 (Annexure R-1) passed by the Principal Secretary to Government of Punjab, Department of Education, rejecting the representation of the petitioner.

The stand of the respondents to the extent of not accepting the actual pay for the further period of two years is justified on the ground that the petitioner did not agitate his claim prior to his attaining the age of 60 years. However, in the light of the judgment of the Supreme Court, which is acknowledged by the respondents, the petitioner would be entitled to notional fixation of his pay treating him as retired at the age of 60 years and,

thereafter, on fixation of his notional pay, the revised pension be also fixed and released to him within a period of three months.

It goes without saying that the petitioner would be entitled to arrears of the difference of revised pension.

In view of the above, the present contempt petition is disposed of as infructuous.

Rule discharged.

April 30, 2015
pj

(AUGUSTINE GEORGE MASIH)
JUDGE