

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

C.W.P. No.10211 of 2012

Date of Decision : 30.03.2015

Tarsem Lal

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vishal Aggarwal, Advocate
for the petitioner.

Mr. Vivek Singla, Sr. Panel Counsel
for the respondents-UOI.

Mr. A.K. Goel, Advocate
for respondent No.5.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

The dispute in this case is whether the petitioner is entitled to payments allegedly payable to him under Army Group Insurance Fund (AGIF).

Learned counsel for the respondents have relied upon two judgments *Balwan Singh Madad vs. Union of India and others*, passed in CWP No.18374 of 2005, decided on 18.04.2006 and *GDR. Jagbir Singh vs.*

Union of India and others, passed in CWP No.6815 of 2006, decided on 10.12.2010, therein this Court had accepted the stand that the AGIF run by the Society is not maintainable to writ jurisdiction.

Learned counsel for the petitioner has relied upon a decision of the Delhi High Court in the case of *Sagrika Singh vs. UOI and others*, **2012(2) SCT 295**, to contend that the Division Bench held AGIF to be State and urged that in view of this larger Bench decision this Court should allow the writ petition. However, the learned counsel for the respondents have argued that another Division Bench of the Delhi High Court in *Chet Ram vs. AGIF*, passed in WP(C) No.2139 of 2010, decided on 10.01.2011 had also held that the writ petition would not be maintainable in such circumstances and this judgment was not even considered by the subsequent Division Bench in Sagrika Singh's case (supra) and therefore this judgment cannot be preferred to the decision of this Court.

I find myself in agreement with the learned counsel for the respondents.

Consequently, the petition is dismissed being not maintainable.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

March 30, 2015

ashish

**(AJAY TEWARI)
JUDGE**