

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

CWP-5207 of 2015 (O&M)
Date of decision : 30.06.2015

Ram Tirath

...Petitioner

V/S

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Maninder Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

The sole prayer of the petitioner is for quashing the impugned memo dated 09.02.2015 (Annexure P-3) vide which pension has been reduced and recovery of amount of Rs.3,04,842/- has been effected.

It is submitted that petitioner had earlier served Punjab Land Development and Reclamation Corporation Limited (PLDRC) where there is no provision of pension. The petitioner was subsequently absorbed in the State services on 16.04.1997 and retired on attaining the age of superannuation on 31.08.2012. He contends that similarly situated persons preferred the CWP No.10008 of 2006 (Annexure P-4) for redressal of the same grouse, which was allowed vide order dated 23.02.2010 with a direction to the respondents to

count the service rendered by the petitioners in the Corporation towards pensionary benefits in the Government Department and release the retiral benefits within four months from the date of receipt of certified copy of this order. Against the order passed dated 23.02.2010, the State of Punjab preferred the LPA No.1122 of 2010, which was dismissed vide order dated 04.10.2010 and the same has attained finality.

Learned State counsel is unable to controvert the aforesaid position.

In these circumstances, the present petition is allowed and respondents are directed to examine the case of the petitioner in terms of judgment passed in CWP No.10008 of 2006, titled as **Ram Singh and anr. VS. State of Punjab and ors.**, decided on 23.02.2010 (Annexure P-4) and if the case of the petitioner is covered by Ram Singh's case (supra), release all the necessary benefits, within six weeks from the receipt of certified copy of this order.

30.06.2015

ashok

(JITENDRA CHAUHAN)
JUDGE