

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

RSA No.1605 of 2011 (O&M)

Date of decision: 18.08.2015

The State of Punjab and another

..... Appellants

versus

Baj Singh

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.T.N.Sarup, Addl.A.G. Punjab for the appellants
Mr.S.K.Arora, Advocate for the respondent

- 1. Whether Reporters of Local Newspapers 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?*

Kuldip Singh, J. (Oral)

The State of Punjab has filed this appeal against the judgment dated 11.5.2009, passed by the learned Civil Judge, Junior Division, Ferozepur, vide which, the suit of the plaintiff-respondent was decreed, holding that the plaintiff is entitled to 8 years and 16 years proficiency step up w.e.f. 17.12.1990 and 17.12.1998. Arrears were also ordered to be paid with 18 % per annum interest. In appeal filed by the State of Punjab, judgment and decree of the lower Court was modified by the learned Additional District Judge vide judgment dated 14.12.2010, holding that the interest shall be payable @ 12% per annum in place of 18%. The remaining part of the judgment was upheld.

Still not satisfied, the State of Punjab has filed the present

regular second appeal. Undisputedly, the plaintiff in this case was appointed as Provincial Reserved Chowkidar under the Food and Supplies Department w.e.f. 20.12.1982. He retired from service on 30.11.2003. The lower Court relied upon the judgment passed by this Court in Rakha Singh v. State of Punjab and others (CWP No.7780 of 2004), wherein pensionary benefits were allowed to the temporary employees equivalent to the regular employees. Some other judgments of this Court were also relied upon by the Civil Court. There are concurrent findings of the two Courts. The judgment of the lower Court is based upon the law laid down by this Court. There is no illegality or infirmity in the same. Therefore, the appeal is dismissed.

In view of disposal of the appeal, all applications pending also stand disposed of.

18.08.2015*gk***(Kuldip Singh)
Judge**