

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

(1) LPA No. 1260 of 2015 (O&M)

State of Punjab and others

.... APPELLANTS

Versus

Joginder Ram and others

.... RESPONDENTS

(2) LPA No. 1265 of 2015 (O&M)

State of Punjab and others

.... APPELLANTS

Versus

Jagjit Singh and others

.... RESPONDENTS

DATE OF DECISION : 28.08.02015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. Gurinder Pal Singh, Addl. A.G., Punjab,
for the appellants.

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SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of LPA Nos. 1260 and 1265 of 2015,
filed by the State of Punjab and its officers.

Both these intra-court appeals under Clause X of the Letters
Patent have been directed against the order dated 05.02.2015 passed by the
learned Single Judge, whereby eight separate writ petitions, including the
petitions (CWP Nos. 19973 of 2014 and 23981 of 2013) separately filed by

the respondents, have been disposed of in terms of the earlier decision of this Court in CWP No. 2371 of 2010 (Harbans Lal Versus State of Punjab and others), which has become final, as the SLP filed by the State against the said decision has also been dismissed on 30.07.2012.

Though there is delay of 165 days in filing LPA No. 1260 of 2015 and 168 days in filing LPA No. 1265 of 2015, and the appellants have filed separate applications (CM Nos. 2683-LPA and 2696-LPA of 2015) for condoning the said delay, yet we have heard learned counsel for the appellants on merits and have gone through the impugned order passed by the learned Single Judge.

During the course of arguments, it has not been disputed that the controversy raised in the instant appeals is squarely covered by the decision of this court in Harbans Lal's case (supra). It has also not been disputed that the SLP filed by the State against the said decision has been dismissed. However, it has been argued that the review application filed against the said decision is pending before the Apex Court. Similar argument was raised before the learned Single Judge, which has been dealt with in the impugned order, while making the following observations :

“On due consideration of the matter and noticing that the case is squarely covered by the ratio of judgment rendered by this Court in CWP No. 2371 of 2010 (Annexure P-23) and upheld by the Hon'ble Supreme Court vide judgment Annexure P-24, I am of the view that no purpose would be served by

keeping these petitions alive any further. They are, therefore, disposed of in the same terms as in CWP No. 2371 of 2010.

As a consequence, the respondents would be directed to abide by the directions contained therein and allocate the GPF account numbers so as to make the petitioners admissible to the pensionary benefits subject, however, to the outcome of the review petition.”

In our opinion, the learned Single Judge has rightly protected the interest of the State. Thus, we do not find any ground to interfere with the impugned order, merely on the ground that the review application is pending before the Apex Court.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

August 28, 2015
ndj

(MAHAVIR S. CHAUHAN)
JUDGE