

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No. 2089 of 2014
Date of Decision: 06.01.2015

Union of India and others

..Appellants

versus

Santokh Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH.

Present : Mr. Darshan Singh Bishnoi, Advocate, for the appellant.

S.J.VAZIFDAR A.C.J. (Oral)

CM No. 4390 of 2014

Notice.

Mr. A.K.Walia, Advocate accepts notice on behalf of the respondent-caveator. Caveat is discharged.

Heard. For the reasons mentioned in the application, delay of 104 days in filing the appeal is condoned. Application stands disposed of.

LPA No.2089 of 2014

This is an appeal against the order of the learned Single Judge dated 17.07.2014 allowing respondent No.1's claim for pension as a freedom fighter under the Freedom Fighter Pension Scheme, 1972 as modified and renamed as "Swantantarata Sainik Saman" Pension Scheme-1980 for the grant of Freedom Fighter pension to the Freedom Fighters who had undergone imprisonment during the freedom movement.

2. The learned Single Judge has dealt with the case in considerable detail.

3. The respondent No.1-original petitioner relied upon the certificates of co-prisoners which is now permissible. As noted by the learned Single Judge the appellant did not contend that the certificates constitute mis-representation of the facts. The respondent's claim was rejected only on the ground that the co-prisoners had issued certificates to several other persons as well. It is also important to note that the State Government had verified the respondent's claim and has been paying him pension under the same scheme since the year 1993.

4. In this view of the matter, we see no reason to interfere with the findings of the learned Single Judge in appeal.

Dismissed.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

(AUGUSTINE GEORGE MASIH)
JUDGE

06.01.2015

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