

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

LPA No. 257 of 2015 (O&M)

Date of Decision:-07.04.2015

The State of Punjab and another

.....Appellants

Versus

Avtar Singh and others

.....Respondents

**CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU.**

**Present:- Mr. K.K. Gupta, Addl.AG Punjab
for the appellants.**

SATISH KUMAR MITTAL, J.(Oral)

This intra-court appeal under Clause-X of the Letters Patent has been filed by the State of Punjab and others against the judgment dated 14.10.2014 passed in CWP No. 15740 of 2012 whereby the writ petition filed by the private respondents No. 1 to 18 was allowed by the learned Single Judge, in terms of decision dated November 08, 2012 passed in LPA No.108 of 2012 (State of Punjab and another Versus Rupinder Pal and others) while holding that the respondents are entitled to the benefit of pension scheme under the Pension Rules which were in existence on January 16, 2002 and not under the new pension scheme which was introduced on January 1, 2004.

It has not been disputed before us that the case of Rupinder Pal and others who were respondents in LPA No.108 of 2012 is exactly the same as of the respondents herein. Those respondents who were also given notional appointment w.e.f. 2002 have been held entitled to the pension under the Pension Rules, which were applicable before the new pension scheme introduced in the year 2004. It has also not been disputed that the decision in the said LPA has become final between the parties as no SLP has been filed against the same.

In view of the fact that the issue raised in this appeal has already been decided against the State in the aforesaid appeal, we do not find any further ground to interfere in the same.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

07.04.2015
reema

(HARINDER SINGH SIDHU)
JUDGE