

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12711 of 1996 (O&M)  
Date of Decision: 04.03.2016

Kirpal Singh

... Petitioner

Versus

The State of Punjab and others

... Respondents

**CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: None for the petitioner.

Mr. Harkesh Manuja, Addl. AG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

**RAJIV NARAIN RAINA, J.**

1. This matter is covered by the decisions of this Court in CWP No.14812 of 1996 titled *Ex-Capt. S.P. Singh v. State of Punjab and others* and a large number of other decisions where benefit of increments and pensionary benefits are to be given including re-fixation of pay for enhancement of pension. It is not disputed that the petitioner served in the Indian Army from May 27, 1949 to October 12, 1967 and was later appointed to civil service in the Punjab Roadways. He claims the benefit of military service rendered during the period of the First Emergency.

2. The prayer has been wrongly declined by the department and the petition must succeed on the case law cited.

3. The petition is allowed and the direction is issued to the

respondents to re-fix the pay of the petitioner in terms of the judgments.

Enhanced pension be provided to the petitioner within three months.

4. A copy of this order be sent to petitioner at the address mentioned in the memo of parties.

(RAJIV NARAIN RAINA)  
JUDGE

04.03.2016

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