

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

CWP No.10752 of 2013

Date of Decision:25.07.2016

Gurnam Singh

.....Petitioner

Vs.

Union of India and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. Rajeev Anand, Advocate for the petitioner.

Mr. Puneet Gupta, Advocate for the respondents.

RAKESH KUMAR JAIN, J.(Oral)

This petition is filed by the freedom fighter, claiming arrears of pension, under the Swatantrata Sainik Samman Pension (SSS) Scheme, 1980 from the central revenue from the date of application i.e. 27.11.1981. However, the pension has been paid from 13.10.2010. There is no dispute that the claim set up by the petitioner is based upon secondary evidence, i.e. two affidavits of the co-prisoners of the petitioner.

Counsel for the respondents has relied upon decision of the Supreme Court in the case of **Union of India and another v. Kaushalya Devi, 2007(2) SCT 170** in which it has been held that in case of secondary evidence, relied upon by the petitioner, arrears of pension has to be awarded not from the date of application but from the date of order. There is no judgment to the contrary cited by counsel for the petitioner. Hence, in view thereof, I do not find any merit in this petition.

Dismissed.

July 25, 2016
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(RAKESH KUMAR JAIN)
JUDGE