

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17732-2016
Date of Decision: October 07, 2016

Narinder Kumar and others
.....Petitioners
Versus

State of Punjab and others
.....Respondent

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA

- | | | |
|----|---|---------|
| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |
| 4. | To be referred to the Reporters or not? | Yes/No |
| 5. | Whether the judgment should be reported in the Digest? | Yes/No. |

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Present: Mr.Anil Kumar Spahia, Advocate for
Mr.Sunny Singla, Advocate
for the petitioner.

Mr.Rajesh Bhardwaj, Addl.AG, Punjab.
.....

SURYA KANT, J.

Petitioners are retired employees of different Municipalities in the State of Punjab. Retirement dates of all the petitioners are different as find mentioned in Annexure P1, and all of them have held pensionable posts. They are claiming upgraded revision of their pension and other retiral benefits in terms of Punjab Government decision whereunder pay scales of in-service employees have been further revised w.e.f. 01.12.2011. The benefit of those revised pay scales towards pension has not been granted to the petitioners as all of them retired from service before 01.12.2011.

Learned counsel for the petitioners submits and he appears to be

right in contending that the controversy regarding petitioners' claim has been

answered in their favour by this Court vide judgment dated 31.08.2016 rendered in LPA No.352 of 2014 (State of Punjab and others vs A.P.Sharma and others) and other connected appeals. In the cited decision this Court has held as follows:-

“36. As a result of the above discussion, it is held that the circular dated 15.12.2011 is retroactive in nature and the benefit of fixation of higher pay of various categories of employees is bound to have its positive effect on the pension of pre-01.01.2006 retirees.

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38. As regard to the connected writ petitions, we have not gone into the merits of the individual claims. Those writ petitions are disposed of in terms of the decision in the lead case with a direction to the authorities to verify the claim of each petitioner and if found covered vide this judgment, let the consequential benefits be granted to them as well.”

Since we have not gone into the individual's claims of the writ petitioners, the respondent-authorities are directed to verify the claim of each one of them and if found covered under the cited judgment, let the consequential benefits be granted within a period of four months from the date of receipt of a certified copy of this order.

A copy of this order be given to learned State counsel for information and necessary compliance.

(SURYA KANT)
JUDGE

October 07, 2016
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(SUDIP AHLUWALIA)
JUDGE