

CWP No. 27687 of 2013 and connected matters (O/M)

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 12.12.2016

CWP No. 27687 of 2013 (O/M)

Kuldip Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 2374 of 2014 (O/M)

Krishan Gopal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3325 of 2014 (O/M)

Gurbax Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3407 of 2014 (O/M)

Chiman Lal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3417 of 2014 (O/M)

Harpal Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 3450 of 2014 (O/M)

Shakuntla Devi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3515 of 2014 (O/M)

Jarnail Singh Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3527 of 2014 (O/M)

Rur Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 3615 of 2014 (O/M)

Dev Raj Goyal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 4671 of 2014 (O/M)

Arjan Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 5661 of 2014 (O/M)

Mohinder Singh Joshi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 7446 of 2014 (O/M)

Surjit Lal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7448 of 2014 (O/M)

Megh Raj Sharma and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7453 of 2014 (O/M)

Krishan Bhagwan and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7504 of 2014 (O/M)

Janak Raj Soni and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7505 of 2014 (O/M)

Urmil Kapila and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7507 of 2014 (O/M)

Basant Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 7617 of 2014 (O/M)

Bhajan Singh and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 7856 of 2014 (O/M)

Prem Singh and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 8432 of 2014 (O/M)

Bir Bahadur and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 9515 of 2014 (O/M)

Nachhattar Singh and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 10224 of 2014 (O/M)

Satya Pal Goyal and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 10436 of 2014 (O/M)

Surjit Singh and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 10667 of 2014 (O/M)

Gian Chand and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 11557 of 2014 (O/M)

Janak Jakhmi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 12668 of 2014 (O/M)

Gurdarshan Lal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 12685 of 2014 (O/M)

Amrik Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 17040 of 2014 (O/M)

Didar Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 17289 of 2014 (O/M)

Joginder Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 17577 of 2014 (O/M)

Surjit Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 17612 of 2014 (O/M)

Daler Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 18654 of 2014 (O/M)

Hem Raj Gupta and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 18763 of 2014 (O/M)

Gurjant Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 19227 of 2014 (O/M)

Balwinder Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 19244 of 2014 (O/M)

Rajinder Devi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 19369 of 2014 (O/M)

Harcharan Singh Sidhu and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 19858 of 2014 (O/M)

Natha Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 19863 of 2014 (O/M)

Diwan Chand and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 20979 of 2014 (O/M)

Harpal Singh Dhaliwal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 21538 of 2014 (O/M)

Rajinder Singh Majhail and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 21544 of 2014 (O/M)

Ajit Pal Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 21549 of 2014 (O/M)

Madan Mohan Arora and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22292 of 2014 (O/M)

Daljit Inder Kaur and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22324 of 2014 (O/M)

Amrik Singh and another Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22330 of 2014 (O/M)

Amar Lal Sethi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22382 of 2014 (O/M)

Bharti and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22392 of 2014 (O/M)

Narinder Kumar Bansal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 22394 of 2014 (O/M)

Sajjan Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22412 of 2014 (O/M)

Lachhman Dass Malhotra and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22946 of 2014 (O/M)

Jagrup Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 22980 of 2014 (O/M)

Balbir Singh Rattan and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 23318 of 2014 (O/M)

Rajinder Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 23683 of 2014 (O/M)

Basakha Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 25024 of 2014 (O/M)

Budh Ram Jindal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 25838 of 2014 (O/M)

Jaswant Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 25937 of 2014 (O/M)

Satinder Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 26304 of 2014 (O/M)

Subhash Chander Sahni and others Petitioner (s)

Versus

State of Punjab and another Respondent (s)

CWP No. 26949 of 2014 (O/M)

Narinder Kumar Monga and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 26950 of 2014 (O/M)

Darshan Devi and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 26956 of 2014 (O/M)

Jagdish Chander and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7591 of 2015 (O/M)

Yashpal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7632 of 2015 (O/M)

Gurdip Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7637 of 2015 (O/M)

Baldev Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7683 of 2015 (O/M)

Hans Raj and others and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 7763 of 2015 (O/M)

Paramjit Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 27687 of 2013 and connected matters (O/M)

CWP No. 9876 of 2015 (O/M)

Kamlesh Nagpal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 10526 of 2015 (O/M)

Surjeet Kaur and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 13022 of 2015 (O/M)

P.P. Jindal and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 13380 of 2015 (O/M)

Tirlok Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CWP No. 23091 of 2015 (O/M)

Anaib Singh and others Petitioner (s)

Versus

State of Punjab and others Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. C.L. Sharma, Advocate, for the petitioners in
CWP-27687-2013.
Mr. Sunny Singla, Advocate, for,
Ms. Riti Aggarwal, Advocate, for the petitioners
in CWP-3325, 3407, 3417, 3450, 3615, 4671, 5661, 7446, 7448,
7453, 7504, 7505, 7507, 7856, 8432, 9515, 10224, 10436,
10667, 11557, 12668, 12685, 17040, 17289, 17577, 17612,
18654, 18763, 19227, 19369, 19858, 19863, 20979, 21538,
21544, 21549, 22292, 22324, 22330, 22382, 22392, 22394,
22412, 22946, 22980, 23318, 23683, 25024, 25838,

CWP No. 27687 of 2013 and connected matters (O/M)

25937-2014 and
CWP-7591, 7632, 7637, 7683, 7763, 13380-2015.

Mr. Nirmal Singh, Advocate, for the petitioners
in CWP-19244-2014 and CWP-23091-2015.

Mr. R.K. Arora, Advocate, for the petitioners
in CWP-2374, 3515, 3527-2014.

Mr. J.P. Rana, Advocate, for the petitioners
in CWP-13022-2015.

None for the petitioners in remaining cases.

Mr. Anshul Gupta, Assistant A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

-. -

-. -

KULDIP SINGH J. (ORAL)

By this single judgment, I shall dispose of all the abovenoted 70 identical writ petitions, wherein the same relief has been claimed by the petitioners. For brevity, the facts have been taken from CWP-27687-2013.

The brief facts of the case are that the petitioners were working in various departments in the State of Punjab. Some of them retired before 1.1.2006 and some of them retired after 1.1.2006. The pay scales of the Punjab Government employees were revised with effect from 1.1.2006, vide Notification dated 27.5.2009 (Annexure-P-1), issued by Punjab Civil Services (Revised Pay) Rules. In view of the recommendations of the 5th Pay Commission, the pension was also accordingly revised. In case of Agriculture and Horticulture Departments, the pay scales were revised with effect from 1.12.2011, but the same were implemented with effect from 1.1.2006, as per the judgment of this Court in CWP No. 23138 of 2010, titled as Dr Naresh Kumar Kataria and others Versus State of Punjab and

CWP No. 27687 of 2013 and connected matters (O/M)

others, decided on 5.1.2012 (Annexure-P-5). While fixing the pay, the anomaly has arisen between the employees, who retired before 1.1.2006 and those who retired after 1.1.2006. It is stated that the discrimination has been done regarding fixing pension of the employees, who retired before 1.1.2006 and those who retired after 1.1.2006.

The learned counsels for the petitioners, who are present in Court today, state that the matter has been finally decided by a coordinate bench of this Court in CWP No. 25733 of 2012, titled as A.P. Sharma and others Versus State of Punjab and others, decided on 22.10.2013 and by this Court in CWP No. 2866 of 2014, titled as Karanvir Singh and others Versus State of Punjab and others, decided on 30.9.2016 alongwith connected matters. It is stated that the Letters Patent Appeal No. 352 of 2014, titled as State of Punjab and others Versus A.P. Sharma and others alongwith connected matters against the judgment of a Single Bench of this Court in A.P. Sharma's case (supra) has since been dismissed by a Division Bench of this Court, vide order dated 31.8.2016 and it has become final. Therefore, the short prayer is to dispose of all the abovenoted 70 writ petitions in terms of the judgments of this Court, passed in A.P. Sharma's case (supra) and in Karanvir Singh's case (supra).

In these circumstances, all the abovenoted 70 writ petitions are disposed of with directions to the respondents to consider the case of the petitioners in the light of the judgments of this Court in A.P. Sharma's and Karanvir Singh's cases (supra) and if it is found that the petitioners are covered by the said judgments, then extend the similar benefits to the petitioners also in those petitions and in case, it is found that they are not covered by the said judgments, then pass a speaking order, denying the said

CWP No. 27687 of 2013 and connected matters (O/M)

-15-

benefits. The needful be done within three months from the date of receipt of certified copy of this judgment. If it is found that the petitioners are entitled to the arrears, the same shall also be released within two months from the date of passing of speaking order alongwith with interest, as per the Government instructions.

Photocopy of this order be placed on the connected case files.

(KULDIP SINGH)
JUDGE

12.12.2016
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No