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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26596 of 2016 (O/M)

Date of decision : 22.12.2016

Basant Singh

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. D.S. Kahlon, Advocate, for the petitioner.

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 ?

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KULDIP SINGH J. (ORAL)

The perusal of the file shows that the civil decree was passed in favour of the petitioner to the effect that he be taken back in service with the benefit of seniority and continuation of service, however, he would not be entitled to back wages prior to 5.6.1985, vide judgment and decree dated 12.9.1988, passed by the learned Additional District Judge, Gurdaspur, in Civil Appeal No. 212/277 (Annexure-P-1). The said judgment was upheld by this Court in RSA No. 464 of 1989, vide order dated 8.4.2013 (Annexure-P-2). The plea of the petitioner is that now he has retired from service and the back wages are not being paid and calculated in terms of the judgment of the civil court.

I am of the view that it is a case of execution of the decree of civil court. The petitioner is relegated to avail the remedy of execution before the competent court.

Disposed of accordingly.

(KULDIP SINGH)
JUDGE

22.12.2016

sjks

Whether speaking / reasoned : Yes

Whether Reportable : No