

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No. 2005 of 2014 (O&M)
Date of decision: 21.3.2016

The Punjab State Civil Supplies Corporation & another
.. Appellants

v.

Nanak Singh and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Deepali Puri, Advocate for the appellants.
Mr. Amrik Singh, Advocate for respondents No. 5, 8, 9,
11 to 13 and 15.

...

Rajesh Bindal J.

It is not in dispute that in the case in hand, the learned Single Judge allowed the writ petition filed by the respondents relying upon judgment of Full Bench of this court in LPA No. 113 of 2012—Punjab State Civil Supplies Corporation Ltd. and others v. Pyare Lal, decided on 9.11.2012, wherein it was held that retiral dues except gratuity and death-cum-retirement gratuity cannot be withheld. In the aforesaid judgment of Full Bench, the present appellants filed review application, which was allowed by the Full Bench of this court on 11.8.2014 setting aside the judgment of learned Single Judge, where the relief was granted to the petitioner therein, who was similarly placed as the respondents herein. The review application filed by the appellants before the learned Single Judge in view of the reviewed judgment of the Full Bench was dismissed.

Considering the fact that the learned Single Judge had granted relief to the respondents herein placing reliance upon the judgment of the

Full Bench, which was later on reviewed, in our opinion, for the reasons stated in Pyare Lal's case (supra), as decided on 11.8.2014, the present appeal deserves to be allowed. Ordered accordingly. The orders dated 15.11.2013 and 29.9.2014 passed by the learned Single Judge are set aside. The writ petition filed by the respondents is dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

21.3.2016
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