

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.1217 of 2016 (O&M)

Date of Decision: August 26, 2016

Jagdish Lal Sikka

.....Appellant

versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Rajiv Mittal, Advocate, for the appellant.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J.

The learned Single Judge has non-suited the appellant and dismissed his writ petition in which he claimed benefits of the service allegedly rendered by him in Northern Railways before joining the Punjab State Electricity Board (for short 'PSEB'), towards pension and other retiral benefits. The reason assigned by learned Single Judge is that two documents relied upon by the appellant for proving that he served the Northern Railways, do not inspire confidence to conclusively hold that he had actually served in the Central Government (Railways) before joining PSEB without any break. It may be mentioned that the appellant claims that he served Northern Railways w.e.f. September, 1964 till September, 1973 and that he has continuous cause of action to seek counting of that service towards pension and other retiral benefits.

Since the learned Single Judge has declined to entertain the writ petition for want of sufficient proof, we find no ground to interfere with the order under appeal.

Dismissed.

However, the appellant shall be at liberty to file a civil suit, if so permissible under the law, for establishing his claim for counting of the service in question towards pension and other retiral benefits.

[SURYA KANT]
JUDGE

August 26, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No