

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

LPA No. 412 of 2016(O&M)

Date of Decision: 31.03.2016

Punjab Water Resources Management & Development Corporation
Ltd.

... Appellant.

vs.

Tarsem Chand and anr.

... Respondents

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

Present:- Mr.P.S. Thiara, Advocate
for the appellant.

RAJESH BINDAL,J

The order passed by learned Single Judge on 10.02.2016 allowing the writ petition filed by respondent No.1-Tarsem Chand, has been impugned in this Letters Patent Appeal.

Respondent No.1 herein filed petition claiming that he being a disabled person was entitled to continue in service upto the age of 60 years. He was retired at the age 58 years on 30.11.2012. As the claim of respondent No.1 was not accepted by the department, writ petition was filed. The same was disposed of on the statement of learned counsel for both the parties being covered by the judgment of this Court in **LPA No. 1719 of 2011 (O&M) titled as State of Punjab and Ors. vs. Bhupinder Singh, decided on 25.09.2012.** The Special Leave Petition filed against the aforesaid judgment was also dismissed. The appellant is not impugning the judgment of learned Single Judge as far as merits of the controversy

regarding entitlement of respondent No.1 to continue in service up to the age of 60 years, is concerned. however, the only contention raised in this appeal is to award of interest on the amount of salary to be paid to respondent no.1 for the period of two years.

Notice of motion to respondent No.1 only.

Mr. Saurabh Arora, Advocate, who is present in the Court, accepts notice on behalf of respondent No.1.

Both the learned counsel for the parties are heard on the merits of the controversy and with their consent, the matter is disposed of finally.

As is evident from the judgment passed by learned Single Judge, the petition was disposed of being covered by the decision in **Bhupinder Singh's case (supra)** which was upheld by Hon'ble the Supreme Court.

Learned counsel for the appellant submitted that benefit due to respondent No.1 in terms of the judgment of learned Single Judge shall be paid within a period of two months from today. In case of failure, the appellant shall be bound to pay interest @12% per annum from the date, the amount became due till its realization.

In view of the fair stand taken by learned counsel for the appellant, the appeal is disposed of accordingly.

(RAJESH BINDAL)
JUDGE

31.03.2016
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(HARINDER SINGH SIDHU)
JUDGE