

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP- 7798-1999 (O&M)
Date of decision: 17.04.2017**

Bhola Nath and others

.....Petitioners

versus

Punjab State Electricity Board and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Jasvir Singh, Advocate for
Mr.A.K.Sharma, Advocate for the petitioner
Mr.R.N.Sharma, Advocate for respondent nos.1 and 2
Mr.Anshul Gupta, Assistant A.G. Punjab

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

The present petitioners are the retired employees of Punjab State Electricity Board seeking quashing of order/ instructions dated 13.12.1996 (Annexure P1) issued by the Government of Punjab, vide which the employees who retired on or after 1.4.1995 have been given the benefit of treatment of dearness allowance as dearness pay for reckoning emoluments and the maximum limit of gratuity has been increased from Rs.1,00,000/- to Rs.2,50,000/- and the same has been denied to the petitioners who retired prior to 1.4.1995.

Learned counsel for the respondent does not seek to file reply since the matter is already covered by the earlier judgment of this Court.

Heard.

It comes out that similar issue was dealt with and decided by this Court in Shamsher Singh and others vs. The State of Punjab and another, CWP No.6863 of 1986 decided on 18.4.1988, the same was later on followed by this Court in CWP No.14763 of 1990 titled as Dr.Asa Singh and others vs. The State of Punjab and others, decided on 22.4.1991 by learned Single Bench of this Court (Annexure P3) which was duly affirmed by the Division Bench vide judgment dated 25.11.1992 in LPA No.756 of 1991 titled as The State of Punjab and others vs. Dr.Asa Singh and others (Annexure P4). Special Leave to appeal (Civil) No.537893 titled as The State of Punjab and others vs. Dr.Asa Singh and others was filed against the said judgment which was dismissed by Hon'ble Apex Court vide order dated 13.5.1993 (Annexure P5).

It being so, the present petition is also disposed of in terms of the judgments in Shamsher Singh and others (supra) and Dr.Asa Singh and others (supra) and the petitioners are held entitled to the same benefits as extended in the cases of Shamsher Singh and others (supra) and Dr.Asa Singh and others (supra).

17.04.2017

gk

(Kuldip Singh)

Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No