

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

CWP No.11873 of 2017 (O&M)

Date of decision : May 26, 2017

Om Parkash Kandara

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Snehdip Oberoi, Advocate for
Mr. Peeush Gagneja, 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 ?

KULDIP SINGH J. (ORAL)

The petitioner has preferred the present writ petition under Articles 226/227 of the Constitution of India for issuance of writ in the nature of mandamus directing the respondents to re-fix the pension in terms of the judgment rendered in CWP No.25733 of 2012, "***A.P. Sharma and others vs State of Punjab & others***", decided on 22.10.2013 (Annexure P-3) and CWP No. 2866 of 2014, "***Karanvir Singh and others Vs. State of Punjab and others***", decided on 30.09.2016 (Annexure P-5) and to release all the consequential benefits alongwith interest.

Brief facts of this case are that the petitioner are the pre 01.01.2006 and post 1.1.2006 retirees from different departments of Punjab Government. The petitioners aver that their claims are covered by the judgments passed in CWP No.25733 of 2012 titled as "***A.P. Sharma and others vs State of Punjab & others***" decided on 22.10.2013 and CWP No. 2866 of 2014, titled as "***Karanvir Singh and others Vs. State of Punjab and others***", decided on 30.09.2016.

Learned counsel for the petitioner contended that the petitioner would be satisfied if a direction to the respondent No.1 is given, to decide the representation of the petitioners dated 14.12.2016 (Annexure P-6) in view of the aforesaid judgments.

It is contented that vide order dated 04.05.2017 the apex Court has dismissed the SLP filed by the State against the Division Bench judgment of this Court in LPA No.352 of 2014 (Annexure P-4), whereby challenge was laid to the judgment dated 22.10.2013 passed in *A.P. Sharma's case (supra)*.

In view of the matter, the present petition is disposed of with a direction to respondent No.1 to pass a speaking order on the representation of the petitioner 14.12.2016 (Annexure P-6), in view of the aforementioned judgments passed in *A.P. Sharma's* and *Karanvir Singh's cases (supra)* within two months from the date of receipt of certified copy of this order and if it is found that the claims of the petitioners are covered under the aforementioned judgments, necessary relief shall be granted to them within next three months from passing of the speaking order.

(KULDIP SINGH)
JUDGE

May 26, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No