

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12128 of 2017 (O/M)
Date of decision : 30.5.2017

Sarwan Singh Chechi and others

..... Petitioner (s)

Versus

State of Punjab and another

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Arora, Advocate, for the petitioners.

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 ?

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KULDIP SINGH J. (ORAL)

The petitioners are pre-1.1.2006 retirees from various departments of Punjab Government. The prayer is for issuance of direction to refix their pension in terms of Government Circulars dated 17.8.2009 and 22.2.2010 (Annexures-P-2 and P-3 respectively).

The learned counsel for the petitioners states that the matter has been finally decided by a coordinate bench of this Court in CWP No. 25733 of 2012, titled as A.P. Sharma and others Versus State of Punjab and others, decided on 22.10.2013 (Annexure-P-4) and by this Court in CWP No. 2866 of 2014, titled as Karanvir Singh and others Versus State of Punjab and others, decided on 30.9.2016 (Annexure-P-5) alongwith connected matters. It is stated that the Letters Patent Appeal No. 352 of 2014, titled as State of

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Punjab and others Versus A.P. Sharma and others, alongwith connected matters against the judgment of a Single Bench of this Court in A.P. Sharma's case (supra) has since been dismissed by a Division Bench of this Court, vide order dated 31.8.2016 and it has become final. Therefore, the short prayer is to dispose of the present writ petition in terms of the judgments of this Court, passed in A.P. Sharma's case (supra) and in Karanvir Singh's case (supra). It has been brought to the notice of this Court that the State has preferred SLP against the judgment of this Court in A.P. Sharma's case (supra), which has now become final after the dismissal of the said SLP by the Apex Court.

In these circumstances, the present writ petition is disposed of with directions to respondents to consider the case of the petitioners in the light of the judgments of this Court in A.P. Sharma's case (supra) and Karanvir Singh's case (supra) and if it is found that the petitioners are covered by the said judgments, then extend the similar benefits to the petitioners also in those petitions and in case, it is found that they are not covered by the said judgments, then pass a speaking order, denying the said benefits. The needful be done within three months from the date of receipt of certified copy of this judgment. If it is found that the petitioners are entitled to the arrears, the same shall be released within two months from the date of passing of speaking order alongwith interest, as per the Government instructions.

However, the Government can wait for the decision of the LPA/SLP against Karanvir Singh's case (supra) and take a final decision after the decision of the LPA/SLP. If the LPA/SLP is dismissed, the directions contained in this order shall be complied with within two months

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of the dismissal of the LPA/SLP and if LPA/SLP is allowed, then subject to
the decision of the LPA/SLP.

(KULDIP SINGH)
JUDGE

30.5.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No