

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12589 of 2017 (O/M)
Date of decision : 1.6.2017

Brham Dev and others

..... Petitioner (s)

Versus

State of Punjab and others

..... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sunny Singla, 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 ?
- .- -.-

KULDIP SINGH J. (ORAL)

The petitioners have preferred the present writ petition under Articles 226/227 of the Constitution of India for issuance of writ of certiorari for quashing of Punjab Government Circular dated 13.6.2012 (Annexure-P-12) being illegal and arbitrary for not fixing the pension in terms of the Government Circular dated 17.8.2009 and 22.2.2010 (Annexures-P-9 to P-11). The petitioners also sought issuance of writ of mandamus directing respondents to re-fix the pension in terms of the judgments rendered by 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-13), CWP No. 27687 of 2013, titled as Kuldip Singh and others Versus State of Punjab and others, decided on 12.12.2016 (Annexure-P-15) and the SLP (C) No. 8123 of 2017, titled as State of Punjab and others Versus A.P. Sharma and others, decided on 4.5.2017 (Annexure-P-14) and to release all the consequential benefits alongwith interest.

CWP No. 12589 of 2017 (O/M)

The brief facts of this case are that the petitioners are pre-1.1.2006 and post-1.1.2006 retirees from different departments of Punjab Government. The petitioners aver that their claims are covered by the judgments, passed by this Court in A.P. Sharma's case (supra) and Kuldip Singh's case (supra). It is stated that the judgment of this Court in A.P. Sharma's case (supra) has attained the finality as the SLP preferred by the State of Punjab has been dismissed, vide order dated 4.5.2017 (Annexure-P-14).

The learned counsel for the petitioners contended that the petitioners would be satisfied if a direction to respondent No. 1 is given, to decide the claims of the petitioners in view of the aforesaid judgments.

In view of the matter, the present writ petition is disposed of with a direction to respondent No. 1 to pass a speaking order qua the claim of the petitioners in view of aforementioned judgments in A.P. Sharma's case (supra) and Kuldip Singh's case (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 judgment, necessary relief shall be granted to them within next three months from the date of passing of the speaking order.

In view of the above, the present writ petition is disposed of.

(KULDIP SINGH)
JUDGE

1.6.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No