

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

Sr. No.210

Civil Writ Petition No.20911 of 2014
DECIDED ON: August 23, 2017

SOHAN BIRI AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. J.S. Maanipur, Advocate,
for the petitioners.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

Mr. Sameer Sachdeva, Advocate,
for respondent No.3.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Article 226 of the Constitution of India, petitioners have sought issuance of a writ especially in the nature of certiorari quashing the order No.8/14-2014 Grant 2(1) dated nil passed by the respondent No.2 (P-8) and order dated July 11, 2014 passed by the respondent No.4 (P-10), whereby claim of the petitioners was considered for Family Pension as well as appointment on compassionate ground but declined on the ground that Punjab Privately Managed Recognized Affiliated Aided Colleges (Pension and Contributory Provident Fund) Rules, 2002 (for short 'Rules, 2002') has since been repealed.

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2. At the very outset, it has emerged that Rules 2002 stood repealed vide Notification dated February 18, 2013 issued by the Department of Legal and Legislative Affairs, Punjab whereby The Punjab Privately Managed Affiliated and Punjab Government Aided Colleges, Pensionary Benefits Scheme, 1996 (Repeal) Act, 2012, which came to operation w.e.f. April 01, 1996. In that situation, the learned counsel for the petitioner thought it proper to withdraw the instant petition with liberty to file a fresh petition challenging the vires of Repeal Act, 2012.

3. Dismissed as withdrawn with aforesaid liberty.

August 23, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**