

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

Sr. No.106

Civil Writ Petition No.17570 of 2017
DECIDED ON: August 31, 2017

JAGROOP SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amrik Singh, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Heard.

2. Notice of motion.

3. At the asking of the Court, Ms. Akanksha, AAG, Punjab accepted notice on behalf of the respondents-State. Copy of the petition be supplied to learned State counsel during the course of time.

4. By virtue of the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ of certiorari quashing the para 3 of letter dated December 01, 2011 (Annexure P-5) vide which Junior Engineers who have been retired between January 01, 2006 to November 30, 2011 have been discriminated vis-a-vis Junior Engineers who have retired on or after December 01, 2011 and further to re-fix the pension of petitioners as per

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Punjab Government Circular No.3/23/09-3FPPC/879 dated August 17, 2009 (Annexure P-3) and No.5/138/09-3FPI/881 dated December 01, 2011 (Annexure P-5) as applicable to the Junior Engineers.

5. At the very outset of the arguments, it has been submitted by learned counsel for the petitioners that as far as the relief of quashment of para 3 of letter No.5/138/09-3FPI/881 dated December 01, 2011 (Annexure P-5) is concerned, instant petition has already rendered infructuous, as aforesaid relief has already been granted vide judgment passed by this Court in LPA No.352 of 2014 captioned as ***State of Punjab and ors. vs. A.P. Sharma and ors.*** decided on August 31, 2016.

6 Further learned counsel for the petitioners as well as learned State counsel have gracefully admitted that instant case is squarely covered within the four corners of judgments passed by this Court in ***A.P. Sharma & ors. case (supra)*** which has attained finality after the dismissal of Special Leave Petition vide order dated May 04, 2017 preferred by the State of Punjab & Ors. before the Hon'ble Apex Court as well as ***Karanvir Singh & Ors. vs. State of Punjab & Ors.*** in CWP No.2866 of 2014 decided on September 30, 2016 in view of ***A.P. Sharma & ors. case (supra)***.

4. Accordingly, instant writ petition stands allowed in terms of judgments passed by this Court in cases ***A.P. Sharma & ors. (supra)*** and ***Karanvir Singh & Ors. (supra)***.

August 31, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No