

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

OM PARKASH

VERSUS

STATE OF PUNJAB & ORS.

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Ms. Sudeepti Sharma, Addl. AG, Punjab.

Mr. A.S. Bedi, Advocate
for respondent No.3.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought for issuance of a writ in the nature of mandamus directing the respondents to finalize the claim with regard to the grant of pension to the employees of the Punjab Water Resources Management and Development Corporation Ltd (for short 'Corporation') who were appointed prior to January 01, 2004 keeping in view the approval already granted by the Council of Ministers in its meeting held on December 17, 2011 with further direction to grant pension to the employees of the Punjab Water Resources Management and Development Corporation Ltd in view of the fact that 100% salary is paid to the employees from the State Exchequer and the provisions

contained in the Punjab Civil Services Rules and also in view of the fact that the pension has already been granted to employees working in the privately managed aided schools as well as to the employees of number of autonomous bodies of the State Government.

Undisputably, no approval for the grant of pension to the employees of the Corporation on the pattern of the State Government has been granted by the State Government. Moreover, the Council of Ministers in its meeting held on December 17, 2011 did not approve the grant of pension to the employees of Corporation who are appointed prior to January 01, 2004 on the pattern of State Government employees. It has simply been asked from the Irrigation Department to calculate, in consultation with the Finance Department, the financial burden involved in respect of grant of pension to the employees Corporation and place the matter before the Council of Ministers alongwith the advice of the Finance Department for consideration.

It is also pertinent to mention here that as per the question raised by the Council of Ministers a proposal by calculating financial burden was made and sent to Department of Finance which they declined to approve on January 10, 2013. Thereafter, a meeting was held on November 03, 2015 with Political Adviser to Chief Minister of Punjab, whereby, a decision was taken to formulate new memorandum and place before the Council of Ministers. Thus, it can be said that the matter is still under consideration. Otherwise also, no direction can be given as has been sought by the petitioner through this instant writ petition, particularly when it is the prerogative of the Government to consider about the grant of pension to the employees of Corporation.

In view of the afore-said facts and circumstances, this Court does not find any merit in the instant writ petition. As such, it stands dismissed.

JULY 11, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*