

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.7821-2017 (O&M)

Date of decision: 19.04.2017

Shashi Kant Sharma and others

.....Petitioner

versus

State of Punjab and another

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Vikas Chatrath, Advocate for the petitioners

1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

Kuldeep Singh, J. (Oral)

Petitioners are post 1.1.2006 retirees from Department of Finance of the Punjab Government. They claim re-fixation of their pension in terms of judgment in LPA No.352 of 2014 State of Punjab and others vs. A.P.Sharma and others, decided on 31.8.2016 (Annexure P10) as well as judgment in CWP No.2866 of 2014, Karanvir Singh and others vs. State of Punjab and others, decided on 30.9.2016 (Annexure P9). Civil Appeal No.1123 of 2015 State of Rajasthan v. Mahendra Nath Sharma, decided on 1.7.2015, 2015(9) SCC 540 (Annexure P13)

Learned counsel for the petitioner contends that the respondents may be directed to decide the claim of the petitioners in view of judgments in A.P.Sharma and others (supra) and Karanvir Singh and others (supra). Similar order dated 23.3.2017 (Annexure P11) has been passed by this Court in CWP No.3448 of 2017 titled as Satnam Singh and others vs. State of Punjab and others regarding some other employees.

In these circumstances, without issuing notice to the respondents, the present writ petition is disposed of with directions to the petitioners to file a detailed representation before respondent no.1. Thereafter, respondent no.1 will consider the said representation and decide the same by passing a speaking order after considering the judgments in A.P.Sharma and others (supra) and Karanvir Singh and others (supra), within two months from the date of filing of the representation by the petitioners. Needless to say that if it is found that the petitioners are entitled to the benefits of the aforesaid judgments, the same shall be released to them without unnecessary delay.

However, the Government can wait for the decision of the SLP, filed against A.P. Sharma's case (supra) or against Karanvir Singh's case (supra) and take a final decision after the decision of the SLPs. If the SLPs are dismissed, the directions contained in this order shall be complied with within two months of the dismissal of the SLPs and if SLPs are allowed, then subject to the decision of the SLPs.

19.04.2017
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes/ No
Yes/No