

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.9679 of 2017 (O&M)

Date of decision : May 05, 2017

Joga Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.K. Arora, 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 present petitioners are the pre 01.01.2006 retiree from the various departments of Punjab Government. The prayer is for revision of pension for issuance of direction to refix their pension in terms of Government Circulars dated 17.08.2009 and 22.02.2010 (Annexures P-2 and P-3).

The learned counsels for the petitioners, who is present in Court today, states that the matter has been finally decided by a coordinate bench of 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 and by this Court in CWP No. 2866 of 2014, titled as "***Karanvir Singh and others vs State of Punjab and others***", decided on 30.9.2016 alongwith connected matters. It is stated that the Letters Patent Appeal No. 352 of 2014, titled as "***State of Punjab and others vs A.P. Sharma and others***" alongwith connected matters against the judgment of a Single Bench of this Court in ***A.P. Sharma's case (supra)*** has since been dismissed by a Division Bench

Therefore, the short prayer is to dispose of the present writ petition in terms of the judgments of this Court, passed in ***A.P. Sharma's case (supra)*** and in ***Karanvir Singh's case (supra)***.

In these circumstances, the present writ petition is disposed of with directions to the respondents to consider the case of the petitioners in the light of the judgments of this Court passed in ***A.P. Sharma's and Karanvir Singh's cases (supra)*** and if it is found that the petitioners are covered by the said judgments, then extend the similar benefits to the petitioners also in the present petition and in case, it is found that they are not covered by the said judgments, then pass a speaking order, denying the said benefits. The needful be done within three months from the date of receipt of certified copy of this judgment. If it is found that the petitioners are entitled to the arrears, the same shall also be released within two months from the date of passing of speaking order alongwith with interest, as per the Government instructions.

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.

(KULDIP SINGH)
JUDGE

May 05, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No