

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR 5491-2015 (O&M)

Date of decision: 26.03.2018

Executive Engineer

.....Petitioner

versus

Gajraj Singh and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Pardeep Rajput, Advocate for the petitioner
Mr.Arun Yadav, Advocate for the respondent no.1

- 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?*

Kuldip Singh, J. (Oral)

Heard.

Impugned in the present revision petition is the order dated 29.4.2015 (Annexure P5) passed by learned Civil Judge (Junior Division), Rewari, vide which, objections filed by the JD were dismissed.

It comes out that a decree for grant of retiral benefits is being executed before the Executing Court. Some of the payments were made. However, there was a difference regarding calculations submitted by decree holder as well as by JD. Learned Civil Judge (Junior Division), Rewari observed that a sum of Rs.3,05,374/- was sanctioned to the DH-plaintiff on 21.6.2012 by Operational Division, DHBVN being the commuted value of RS.3040/- per month. It was further ordered in the said order that the commutation of pension becomes absolute with effect from the actual date of payment. As such, the retired person is entitled for residuary pension @ Rs.4560/- per month from the date of payment of commutation value of

pension. Chief General Manager, DHBVN, Hisar vide order dated 21.6.2012 ordered the payment of pension @ Rs.7600 + D.A. Per month from 1.1.2009. The Executing Court found that the decree holder has calculated the difference of arrears of pension and subsequent interest on difference of arrears w.e.f. 1.4.2009 to 31.7.2012 in the light of the order passed by Chief General Manager, DHBVN, Hisar and accordingly found the calculations of the decree holder to be correct. There is no illegality or infirmity in the impugned order.

Resultantly, the present revision petition stands dismissed.

Since the main case has been dismissed, therefore, the pending CM, if any, also stands disposed of.

26.03.2018

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:	Yes
Whether Reportable:	No