

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

**CWP No.16738 of 2017 (O&M)
DATE OF DECISION : 27.11.2018**

Manoj Kumar Nehra

...Petitioner

versus

**Life Insurance Corporation of India
and another**

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. G. S. Gopera, Advocate,
for the petitioner.

Mr. Nitin Thatai, Advocate,
for the respondents.

ARUN MONGA, J.

Learned counsel for the petitioner contends that petitioner has not been granted benefit of revision of pay w.e.f. August, 2012 and further contends that re-fixation of pay and arrears as also not been carried out from August, 2012 to December, 2013. The said benefits are being withheld illegally by the respondent-Corporation.

Per contra, learned counsel for respondent-Corporation has drawn my attention to Life Insurance Corporation of India, Class-III and Class-IV Employees (Revision of Terms and Conditions of Service) Instructions 2016, particularly Clause-3, which is reproduced herein below :-

3. ELIGIBILITY :

(1) These instructions shall apply to the Class-III and Class-IV employees who were in the whole time

salaried service in the permanent establishment of the Corporation as on 01.08.2012 and those who have joined the whole time salaried service in the permanent establishment of the Corporation after the date date.

Provided, however, that those employees whose resignation had been accepted on or before the date of notification irrespective of whether they are relieved or not or whose services had been terminated under Rule 39 of Life Insurance Corporation of India (Staff) Rules, 1960, during the period between 01.08.2012 and 14.01.2016 (both days inclusive) shall not be eligible for the arrears on account of this revision.”

Learned counsel for the respondent-Corporation has laid emphasis on proviso to Clause-3, *ibid*, and contends that the same is not under challenge before this Court and therefore, the relief cannot be granted in violation to said proviso. He states that the petitioner is not eligible for the benefit, as claimed by him in the instant writ petition.

Confronted with the situation, learned counsel for the petitioner seeks permission to withdraw the present writ petition with liberty to seek appropriate remedy, including assailing the above said LIC instructions.

The petition stands dismissed as withdrawn with the aforesaid liberty.

(ARUN MONGA)
JUDGE

NOVEMBER 27, 2018

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |