

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

CWP-25170 of 2018

Date of Decision: 16.10.2018

Kuldip Singh

...Petitioner.

Versus

The State of Punjab and others

...Respondents.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Petitioner-Kuldip Singh Yadav in person.

SHEKHER DHAWAN, J.

Petitioner herein has challenged the impugned order dated 06.08.2018 (Annexure P7) passed by respondent No.2, whereby the claim of the petitioner for refixation of pension w.e.f. 01.12.2011, as per decision dated 22.10.2013 of this Court in CWP-25733 of 2012 titled as 'A.P. Sharma and others vs. State of Punjab' (Annexure P1) and also the decision dated 30.09.2016 of this Court in CWP-2866 of 2014 titled as 'Karanvir Singh and others vs. State of Punjab and others', has been rejected and the petitioner is being deprived of the benefit of refixation of pension which is wrong, illegal, arbitrary and discriminatory.

2. It has been contended that the petitioner is entitled to refixation of his pension w.e.f. 01.12.2011.

3. Having considered the submission made, this Court is of the considered view that the claim of the petitioner has already been rejected on

the ground that the petitioner herein has sought pre-mature retirement voluntarily on 30.09.1991. On 01.12.2011, at the time of his retirement, his corresponding scale was 10300-34800+Grade Pay Rs.4200/- and the initial pay of the said scale was Rs.16290/- and if Rs.150/- Special Grade pay is added, then initial pay comes to Rs.16440/-.

4. The petitioner had sought parity with one Gurban Singh, present Proof Reader, in the pay scale of Rs.10300-34800-4600 Grade Pay, who is in service. The said pay scale was given to him on the basis of Assured Career Progression Scheme after completion of 8 and 9 years service under the said Scheme, and as per policy of the Government the petitioner was not entitled to the same and he could not seek parity with said Gurban Singh. As such, his representation was rightly rejected by the respondents.

5. In view of the above, there is no merit in the present writ petition and the same stands dismissed.

(SHEKHER DHAWAN)
JUDGE

16.10. 2018.

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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No