

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 16759 of 1998 (O&M)

Date of Decision : 19.03.2019

Ram Sarup and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Dushyant, Advocate for
 Mr. S.S. Narula, Advocate for the petitioners.

Ms. Deepali Puri Sandhu, Addl. A.G., Punjab.

Harsimran Singh Sethi, J.(Oral)

The present writ petition was filed by the petitioners seeking the revised death-cum-retiral gratuity, which benefit has only been granted to the employees, who retired after 01.04.1995 in view of the Notification dated 09.07.1985 (Annexure P-5).

Learned counsel for the petitioners states that the present writ petition was admitted on 31.07.2002 alongwith the Bunch of number of other writ petitions to be heard and decided by this Court. Learned counsel states that the Bunch of writ petitions was decided by the Division Bench of this Court vide order dated 03.05.2002 in terms of the decision rendered by Hon'ble the Supreme Court in SLP No. 7946 of 1999 titled as State of Punjab Vs. Harnam Singh and others, which was decided on 06.03.2000. While deciding those Bunch of writ petitions, inadvertently the present writ petition could not be taken up for hearing and remained pending before this

Court.

Learned counsel for the petitioners states that in the present writ petition also, there was an order passed by the Division Bench of this Court dated 14.07.1999 on which date, the present writ petition was adjourned sine-die to be listed after the decision in SLP No. 7946 of 1999 titled as ***State of Punjab Vs. Harnam Singh and others***. The order is as under:

“This is a case of the petitioners who retired during the period from 1st of April, 1985 to 31st of March, 1995.

Adjourned sine die.

Liberty is given to the parties to apply for listing the case after the decision by the Supreme Court in S.L.P. No. 7946 of 1999 State of Punjab Vs. Harnam Singh and others.”

Learned counsel for the petitioners states that though the present writ petition was also to be taken alongwith the Bench, which was decided by the Division Bench on 03.05.2002, but the same could not be taken up at the relevant time and other petitions involving the same question of law were decided by the Division Bench on 03.05.2002 and the main judgment was given in CWP No. 4995 of 1997 titled as Amar Nath Goyal Vs. State of Punjab and others.

Though the application in the present case for listing the case was filed in the year 2002 bearing CM No. 21431 of 2002 but the same was not listed and has now been listed for decision.

Notice of the application was given to the counsel for the respondents for today.

Learned counsel for the respondents admits that the present

writ petition is also part of the same Bunch, which was decided by the Division Bench on 03.05.2002 while deciding CWP No. 4995 of 1997.

Learned counsel for the parties pray that the present writ petition be also disposed of in the same terms as CWP No. 4995 of 1997 and other connected cases were decided vide order dated 03.05.2002.

In view of the prayer made by learned counsel for the parties, the present writ petition is also disposed of in the same terms as CWP No. 4995 of 1997, decided on 03.05.2002.

March 19, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No