

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

**1. CWP No.22999 of 2015 (O&M)
Date of decision : January 31, 2020**

Bhagwant Kaur Petitioner

Versus

State of Punjab and others Respondents

CWP No.21714 of 2014 (O&M)

Darshan Singh Petitioner

Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. H.C. Arora, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

By this common order, both the writ petitions details of which have been given in the heading of this order, are being decided as both the writ petitions involve the same question of law and similar facts. For the purpose of the present order, the facts are being taken from CWP No.22999 of 2015.

In the present writ petition, the challenge is to the order dated 08.08.2014 (Annexure P-7) by which the claim of the petitioner for fixing of her honorarium as last pay drawn (as Lecturer in Political Science) minus pension was declined. Further prayer of the petitioner is for the issuance of a direction to the respondents to release the honorarium of the petitioner by

taking last drawn salary (as Lecturer in Political Science) minus pension, keeping in view the decision taken by the State Government on 31.10.2013 (Annexure P-4).

Further, the reliance is being placed by the petitioner upon the order dated 02.12.2016 passed in CWP No.22913 of 2014, titled as “**Sat Paul Garg vs State of Punjab and others**” wherein, this Court has already allowed the same benefit, as being prayed by the petitioner in the present writ petition along with interest. The Letter Patent Appeal filed by the State being LPA No.976 of 2017, titled as “**State of Punjab and others vs Sat Paul Garg**”, has already been dismissed by the Division Bench of this Court on 27.08.2019, keeping in view the undertaking given by the learned State counsel that the Government is ready to comply with the order passed by the learned Single Judge.

Learned counsel for the respondents has produced the order dated 30.01.2020 wherein, it has been stated that the Government after reconsidering the case of the petitioner, has allowed the benefit of fixing the honorarium of the petitioner on the basis of last pay drawn minus pension.

Learned counsel for the petitioner states that this satisfies the claim of the petitioner. He, however, states that this Court while deciding the case of **Sat Paul Garg** (*supra*), has also granted interest @ 9% per annum on the computed arrears.

Learned counsel for the respondents very fairly states that in case, the petitioner raises her claim for the grant of interest on the arrears, in pursuance to the decision taken by the respondents vide order dated

30.01.2020 by filing appropriate representation, the same will be considered and decided, keeping in view the order passed by this Court in case of ***Sat Paul Garg*** (*supra*) and in case, the case of the petitioner is covered by the said judgment for the grant of interest, an appropriate order will be passed within a period of three months from the date of receipt of the said representation and the consequential relief will be extended to the petitioner, in respect of the claim of the interest as well.

Learned counsel for the petitioner states that keeping in view the statement of learned counsel for the respondents, as recorded above, the petitioner does not press both the writ petitions any further and the same be disposed of as having not been pressed at this stage.

Ordered accordingly.

It is made clear that the respondents will be bound by their statement as recorded above.

(HARSIMRAN SINGH SETHI)
JUDGE

January 31, 2020

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Whether speaking / reasoned Yes

Whether Reportable: Yes