

CWP-11265-2023

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2023:PHHC:114926

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

CWP-11265-2023

Date of decision : 02.08.2023

Balwinder Singh and others

...Petitioners

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Subhash Kumar, Advocate for the petitioners.

Mr. Arun Gupta, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

1. Through this petition, petitioners have approached this Court with the prayer for issuance of directions to the respondents to formulate/adopt the policy of the State of Gujarat dated 12.10.2022 (Annexure P-4), whereby Government of Gujarat, Finance Department resolved the restoration of commuted value of pension after 13 years instead of 15 years under its Rule 101 of the Gujarat Civil Service (Pension) Rules, 2002.

2. Learned counsel for the petitioners prays that petitioners herein being similarly situated employees of respondent-Corporation, who have been superannuated, but vide their representations dated 11.04.2023 (Annexure P-5) had made the similar prayer for consideration of their claim in light of the said policy formulated by the State of Gujarat, but till date no steps have been taken by the authorities. By way of present petition they are seeking indulgence of this Court by issuing directions to the respondents either to adopt the said policy dated 12.10.2022 (Annexure P-4) or new policy be formulated in light

of the same.

3. I have heard learned counsel for the parties and have gone through the case file carefully.
4. The prayer made through this petition for issuance of directions to respondent is not tenable as the same cannot be used as a precedent and it is the prerogative of the concerned State Government/concerned authorities to adopt/follow a policy of other State Government or not. Moreover, the present petition has been filed on behalf of the petitioners, who are retirees of PSPCL and not as a “Public Interest Litigation”. As such the writ petition is misconceived and the arguments raised by the learned counsel for the petitioners is ill founded.
5. So far as the grouse of the petitioners that they have already made representation(s) to the concerned authorities/quarter concerned, including the representation dated 11.04.2023 (Annexure P-5) is concerned, the petitioner(s) are always at liberty to approach the concerned authorities to know the fate of their representation(s) and as such no indulgence of this Court is required.
6. In view of the above, this Court is not inclined to issue any process/direction by invoking the extra ordinary writ jurisdiction of this Court and the writ petition being devoid of any merit, is dismissed in limine.

(DEEPAK MANCHANDA)
JUDGE

02.08.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No