

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

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2023:PHHC:106481

**RSA-4606-2018(O&M)
Date of decision: 17.08.2023**

RAJESH VERMA

..Appellant

Versus

UNITED INDIA INSURANCE CO LTD AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vipin Mahajan, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

1. The appellant before this Court was the plaintiff in a suit for grant of decree of declaration that he is entitled to the loss of leave encashment, provident fund, gratuity upto Rs.10,00,000/-, pension, G.S.I.L. He further prays for reinstatement to the post of the Development Officer, Administration. In substance, the appellant claims that on account of a circular issued by the Insurance Company (respondent herein), the business came down and, therefore, his payment was reduced. Both the Courts have examined the aforesaid aspect while partly decreeing the suit to the extent of Rs.19,525/- along with the interest at the rate of 9% from 24.06.2011 till its realization. It has been noticed that there is a statutory scheme known as the Rationalization of Pay Scales and Other Conditions of Service of Development Staff Scheme, 1976, as amended from time to time. As per Regulation 11, the payment to the Development Officer is commensurate to the business he brings for the Insurance Company. There is a proper procedure for calculating the payment to the Development Officer. The payment has been paid in accordance therewith. On the request of the

appellant, the respondent-Corporation has already permitted the appellant to retire voluntarily.

2. The learned counsel representing the appellant failed to draw the attention of the Court to any substantive error in reading or mis-reading of the evidence including the Scheme.

3. Hence, no ground to interfere is made out.

4. Dismissed accordingly.

5. All the pending miscellaneous applications, if any, are also disposed of.

August 17th, 2023

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No