

113

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10251-2023
Date of Decision: 22.04.2024

LOGESH KUMAR P.

...Petitioner

Versus

NATIONAL INSURANCE COMPANY LTD. AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Naveen Daryal, Advocate
for the petitioner.

Mr. Ashok Bhardwaj, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of order dated 27.12.2022 (Annexure P-9) whereby his claim for arrears of wage revision has been rejected.
2. The case of the petitioner is that on 01.08.2017 he was working with respondent-Corporation as Assistant Manager. The petitioner after getting no objection from the respondent appeared in the examination conducted by UPSC. The petitioner on 28.09.2020 was declared successful by UPSC and he submitted his technical resignation to respondent, which came to be accepted on 07.10.2020. The Central Government has issued notification dated 14.10.2022 whereby retrospectively allowances have been

revised. The eligibility for revision of allowances has been mentioned in Clause 1 of notification dated 26.10.2022. Clause I of the notification reads as :

“Eligibility.
1.1 In terms of paragraph 1 of the Amendment Scheme 2022, the Scheme applies, save as otherwise provided, to all Class I Officers, who:-
(1) were in service as on 1st August 2017 and continue to be in service on the date of publication of the Amendment Scheme 2022; or
(ii) were in service as on 1st August 2017 and have died, or retired on reaching the age of superannuation or opted for voluntary retirement; or
(iii) were appointed on any date after 1st August 2017.

3. The petitioner was in service on 01.08.2017 and his technical resignation was accepted on 17.10.2020, thus, he is eligible for arrears of wage revision, however, respondent has rejected his claim.
4. Mr. Ashok Bhardwaj, Advocate submits that claim of the petitioner is not sustainable. However, if he files fresh representation it would be considered in accordance with applicable notification.
5. In the wake of statement of learned counsel for the respondents, the present petition stands disposed of.

22.04.2024
himanshu

(JAGMOHAN BANSAL)
JUDGE

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