

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-26053-2013

Date of decision: 04.01.2024

VED PARKASH TYAGI

....PETITIONER

Vs.

ORIENTAL BANK OF COMMERCE & ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. H.S. Dhindsa, Advocate
for the petitioner.

Mr. R.N. Lohan, Advocate
for the respondents.

JAGMOHAN BANSAL, J (ORAL)

The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 21.10.2010 whereby request of the petitioner to grant pension has been declined.

2. Learned counsel for the respondents at the outset submits that case of the petitioner is squarely covered by the judgment of Supreme Court in *Senior Divisional Manager, Life Insurance Corporation of India & Ors. Vs. Shree Lal Meena (2019) 4 SCC 479*.

3. The petitioner is claiming that initially he filed voluntary retirement letter, however, on account of pressure by management, he had to file resignation letter. This aspect has been duly considered by Supreme Court in the aforesaid judgment. The petitioner filed resignation letter in 1996 and it was accepted vide communication dated 24.02.1996. There was specific Regulation i.e. Regulation No. 22 of OBC (Officers) Service Regulation 1995, which mandated that an employee on resignation shall not be entitled to pensionary

benefits. The petitioner had resigned from service, thus, he was not entitled to pension.

4. Faced with this, learned counsel for the petitioner expressed his inability to controvert the applicability of aforesaid judgment to the facts of the present case. He further submits that respondents have issued circular dated 11.11.2023 which is under active consideration of Central Government. The petitioner may be granted liberty to approach Authorities in terms of aforesaid circular, if implemented.

5. In the wake of judgment of Supreme Court in **Shree Lal Meena (Supra)**, the present petition stands dismissed with aforesaid liberty.

04.01.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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