

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

107

RSA-1178-2021 (O&M)

Decided on :26.02.2024

JAGJIT SINGH

. . .Appellant

Versus

CHIEF SECRETARY GOVERNMENT OF HARYANA AND ORS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Abhimanyu Singh, Advocate for the appellant.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present regular second appeal, the grievance of the appellant-plaintiff is that though he had more than 10 years of service to his credit, but he has not been treated as retired from service and no pensionary benefits have been extended to him.

2. Learned counsel for the appellant argues that the Courts below while considering the claim of the appellant-plaintiff have held that the appellant-plaintiff has rightly been treated having resigned from service and in case of his resignation, no pensionary benefits are to be extended to him.

3. On being asked to point out the perversity in the judgments passed by the Courts below, the learned counsel for the appellant has not been able to point out even the single perversity qua the findings recorded keeping in view the evidence and the facts which have come on record.

4. It may be noticed that the benefits of pension can only be granted to an employee who has completed 10 years of service on attaining the age of superannuation or having voluntarily retired after rendering 20

years of service.

5. In the present appeal, the said rule has not been satisfied by the appellant-plaintiff as, he did not had 20 years of service to seek voluntarily retirement from service and he never worked upto the age of superannuation.

6. Keeping in view the facts mentioned here-in-before and qua the concurrent findings recorded by the Courts below, no perversity could be pointed out in the concurrent findings, no ground is made out for interference in the present regular second appeal.

7. Dismissed.

8. Pending miscellaneous application, if any, shall also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

26.02.2024

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