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

CWP-2437-2022

Date of decision: 13.11.2025

Amrit Kaur Bedi

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Mr. H.P.S. Ghuman, Advocate
for respondent No.3.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned action of the respondents as reflected in their affidavits dated 01.08.2015 and 14.07.2017 (Annexures P-11 & P-13).

2. Learned counsel for the petitioner *inter alia* contends that petitioner is daughter of freedom fighter who had participated in the freedom struggle. Father of the petitioner was awarded freedom fighter pension by the Government of Punjab and he also had a Tamrapatra for having contributed in the freedom struggle and copy of the Tamrapatra and copy of pension certificate is attached as Annexures P-1 & P-2, respectively. She was appointed as Octroi Clerk on 09.10.1976 in the erstwhile Municipal Committee, Patiala. The Government of Punjab issued instructions dated 04.04.1985 granting various concession facilities to the freedom fighters and their wards as discernible from instructions (Annexure P-4). One of these benefits includes

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the entitlement of the freedom fighter and their wards to extension of their retirement from 58 years to 60 years which provides additional two years than the normal age of superannuation of other employees. In light of the aforementioned instructions, the petitioner submitted a representation on 13.04.2011 requesting the respondents to extend her service upto the age of 60 years. Respondent No.3 without considering the claim of the petitioner in the light of the instructions dated 04.04.1985, rejected her claim and other similarly situated persons belonging to freedom fighter category were allowed to remain in employment upto the age of 60 years. The petitioner has been able to secure a copy of one such order dated 17.05.1993 where the Punjab Government has allowed one Hazara Singh Betal, District Education Amritsar, to continue service upto the age of 60 years. Petitioner has also cited the instance of another Lecturer in the Education Department and copy of the order dated 17.05.1993 vide which Hazara Singh Betal was re-employed upto the age of 60 years is available on record (Annexure P-7). Further, the scope and ambit of instruction dated 04.04.1985 came up for consideration before the Division Bench of this Court in CWP No.16907 of 1997 and the Division Bench of this Court was pleased to direct the respondents to extend the benefit of instruction dated 04.04.1985 to the petitioner, wherein, who was son of the freedom fighter and identically circumstanced to the petitioner. A copy of the judgment dated 12.08.1999 is attached as Annexure P-8. Aggrieved by the inaction of respondent No.3, the petitioner filed CWP No.12476 of 2011 before this Court and this Court allowed the writ petition filed by the petitioner and directed the respondents to allow her benefit of two years in view of the instruction dated



04.04.1985. The petitioner retired from her service on 31.12.2012 on attaining the age of 58 years. The writ petition filed by the petitioner was allowed by this Court on 27.10.2014. The respondents did not grant the required financial benefits to the petitioner, as a result of which, the petitioner filed COCP No.945 of 2015. The respondent appears in this case and filed affidavit dated 01.08.2015 and wrongly stated that the requisite benefits have been paid to the petitioner. Ultimately, the contempt petition filed by the petitioner was disposed of. However, liberty was granted to the petitioner to avail alternative remedy in case some fresh cause of action has arisen.

3. Per contra, learned counsel for respondent No.3 at the very outset submits that all the admissible dues in terms of the judgment of the Coordinate Bench of this Court have been released to the petitioner. He further submits that the instructions dated 04.04.1985 are applicable to the extent of granting re-employment of two years and the order passed by this Court was duly complied with as discernible from the affidavit filed by the then Commissioner of Municipal Corporation, Punjab in COCP No.945 of 2015 (Annexure P-11). The details of the admissible dues released to the petitioner is reproduced as under:-

“3. That accordingly the pension and the others retiral benefits of the petitioner have been computed and calculated as per directions of this Hon’ble Court. The details whereof are as under:-

i.	Leave in encashment:	Rs.3,75,130/-
ii.	Gratuity:	Rs.6,09,586/-
iii.	Arrears of pension w.e.f. 01.01.2013 to 30.06.2015	Rs.6,20,165/-
iv.	PF:	Rs.2,80,173/-
v.	Deductions on account of the balance of House Building Loan:	Rs.46,525/-”

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4. Further, the petitioner has already withdrawn the contempt petition wherein liberty was granted to avail remedy in accordance with law only if some fresh cause of action arises which is not the case in the present petition.

5. In view of the above, learned counsel for the petitioner wishes to withdraw the present petition as not pressed at this stage.

6. Dismissed as withdrawn as not pressed at this stage.

(HARPREET SINGH BRAR)
JUDGE

13.11.2025*Neha*

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