



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

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CWP-17814-2000 (O&M)
Date of decision: 03.07.2025

Sarwan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner.

Ms. Shruti, AAG, Punjab.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for directing the respondents to grant the retiral benefits including pension and gratuity to the petitioner after counting his entire service from 20.07.1941 to 30.09.1979.

2. As is apparent from the perusal of the pleadings, the petitioner, who was 79 years of age having date of birth 15.09.1921 at the time of filing the present petition, had joined the Department of Education, Punjab as a Primary Teacher on 20.07.1941 and served as such till 15.08.1947, the date on which the partition of the country had taken place, whereafter he joined on the same post in District Board, Jalandhar on 17.06.1950, wherefrom he was retired on attaining the age of superannuation on 30.09.1979.

3. Learned State counsel referring to the written statement dated 13.07.2001 filed on behalf of respondent Nos.1 to 4 stating that there was an enormous delay at the hands of the petitioner to approaching this Court, it being 21 years, however, in view of the decision of the Hon'ble Supreme Court in Civil Appeal No.884 of 1999 (Special Leave Petition No.21640/97) titled as **State of Punjab and others vs. Shri Manohar Singh and others**, decided



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on 12.02.1999, he was not entitled for the service rendered prior to 01.10.1957 for the purpose of pension and after the said date, his services had already been taken into account for the said purpose.

4. To the aforesaid facts, there was no rebuttal made by filing any replication.

5. Disposed of, reserving the petitioner with a liberty to get it revived, by demonstrating that the *lis* still survives.

(AMAN CHAUDHARY)
JUDGE

03.07.2025

Hemant

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