



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226-A

CWP-23374-2016 (O&M)

Date of decision: 22.01.2025

Gulwant Singh Sathi

...Petitioner

VERSUS

The State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Viranjeet Singh Mahal, Advocate and
Mr. Vishesh Bhatia, Advocate alongwith
Petitioner in person.

Mr. Puru Jarewal, AAG Punjab.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present petition is for setting aside the order dated 17.08.2009 as well as order dated 22.02.2010 vide which a pro-rata cut has been imposed on the pension of the petitioner, which is mere 50% of sum of minimum pay in pay band and grade pay on the wrong plea that his qualifying service was less than 33 years. A further prayer has been made for directing the respondents to allow pension from 01.01.2006 and to pay arrears due to correct fixation of pension w.e.f. from the said date.

Learned counsel appearing on behalf of the petitioner contends that the controversy involved in the present case has already been decided by this Court in favour of the petitioner vide judgment **dated 18.12.2019** passed in **CWP-7239-2015** titled as '**Labh Singh Dhaliwal and others Vs. State of Punjab**'.

Learned State counsel does not dispute that the controversy



226-A

CWP-23374-2016 (O&M)

already stands adjudicated in favour of the petitioner vide the aforesaid judgment dated 18.12.2019, he contends that Letters Patent Appeal against the same has been filed. He also does not dispute that there is no stay on the judgment dated 18.12.2019 passed in the matter of **Labh Singh Dhaliwal** (supra).

Since the retiral dues of the petitioner are still to be re-calculated & disbursed, that the pendency of the instant writ petition would lead to yet another round of re-determination of the admissible dues to the petitioner, I do not deem that sufficient grounds exist for keeping the present writ petition pending especially when the matter of **Labh Singh Dhaliwal** (supra) had been decided in the year 2019 and a period of more than 05 years has lapsed since then.

The present writ petition is accordingly disposed of in terms of **Labh Singh Dhaliwal** (supra).

(VINOD S. BHARDWAJ)
JUDGE

22.01.2025

Mangal Singh

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