

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).5851/2008

(From the judgement and order dated 08/10/2007 in CWP No. 13159/2006 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

MUNICIPAL COUNCIL, GURUHARSAHI Petitioner(s)  
VERSUS  
RAJ KUMAR & ORS. Respondent(s)

(With prayer for interim relief and office report )

WITH SLP(C) NO. 28342 of 2008  
(With prayer for interim relief and office report)

Date: 07/10/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr.Suresh C. Gupta, Adv.  
Mr.L. Roshnani, Adv.  
Mr. Aribam Guneshwar Sharma,Adv.

For Respondent(s) Dr. Kailash Chand,Adv. (NP)  
Mr. Kuldip Singh ,Adv

UPON hearing counsel the Court made the following  
O R D E R

SLP(C) NO.5851/2008:

Despite service no one appears on behalf of  
contesting respondent No.1.

No ground is made out for our interference with the  
impugned order, particularly keeping in view the  
observation in order dated 8th October, 2007 passed in  
CWP.No.13159 of 2006 to the effect that under identical  
circumstances pension has been allowed to the concerned

...2/-

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employees by the orders of the High Court. The said  
observation has not been questioned in the special leave  
petition. Accordingly, the special leave petition is  
dismissed.

SLP(C) NO.28342/2008:

No ground is made out for our interference with the  
impugned order particularly in view of the observations in  
the impugned order that under similar circumstances, in  
two cases viz. Dilawar Singh vs. Haryana Power General  
corporation Ltd. & Ors. 2006 (3) RSJ 689 and Ram Kumar &  
Ors. vs. Uttar Haryana Bijli Vitran Nigam & Ors. 2006 (4)  
RSJ 125, pension has been granted to the writ petitioners.  
This observation has not been questioned in the special  
leave petition. Accordingly, the special leave petition is

dismissed.

However, we clarify that dismissal of these petitions will not preclude the petitioners from making appropriate adjustments for the amount(s) stated to have been withdrawn by the respondents towards CPF and interest therein.

[ Usha Bhardwaj ]  
Court Master

[ Ajay Kumar Sharma ]  
Court Master