

SLP(C) No. 26528 of 2008

ITEM NO.19

COURT NO.6

SECTION IVB

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

RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 26528/2008

(Arising out of impugned final judgment and order dated 18/08/2008

in CWP No. 2246/2008 passed by the High Court of Punjab & Haryana at Chandigarh)

KURUKSHETRA UNIVERSITY

Petitioner(s)

VERSUS

RAI SINGH (D) THR. LRS. & ANR.

Respondent(s)

(With office report)

Date : 19/04/2016 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. Nikhil Majithia, Adv.

Mr. Rameshwar Prasad Goyal, A.O.R.

For Respondent(s)

Dr. J. P. Dhanda, A.O.R.

UPON hearing counsel the Court made the following

O R D E R

Heard Mr. Nikhil Majithia, learned counsel for the petitioner and Dr. J.P. Dhanda, learned counsel for respondents.

Having heard, we find that the ultimate relief granted by the High Court pertain to the two contesting private respondents whose services came
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to be regularised after their initial induction as contract employees and for whom the High Court directed to count their service as contract employees for the purpose of grant of pension. Though the said respondents prayed for quashing of Rule 4(vi)(a) and (b) of the Kurukshetra University Employees Pension Scheme Rules, 1997, even while granting the relief for grant of pension to the two private respondents, the High Court has not chosen to pass any positive order of setting aside the above referred to Rule. Therefore, the Rule continued to remain in force. In the said circumstances, we only feel that the relief granted to the above referred to private respondents for counting their contractual employment for the purpose of grant of pension need not be interfered with as a special case and without treating it as a precedent in any other case of similarly placed employees.

The Special Leave Petition stands disposed of.

[KALYANI GUPTA]

COURT MASTER [INDU POKHRIYAL]

COURT MASTER

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