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

213

CWP-24341-2019 (O&M)  
Date of decision: 05.03.2025

Ram Parkash (deceased) thr. LRs.

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Surinder Garg, Advocate and  
Mr. Kashmir Singh, Advocate for the petitioners.

Mr. Arun Gupta, DAG, Punjab.

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**AMAN CHAUDHARY, J. (ORAL)**

1. Prayer made in the present petition is for quashing the order dated 18.01.2018 whereby pension and provisional pension have been stopped for all times as also the gratuity not paid.
2. Learned counsel relies on **Darshan Singh vs. State of Punjab and others**, CWP-22174-2015, on 19.12.2018 involving the same issue wherein the respondents were directed to pass a fresh order with regard to pension in consonance with Rule 2.2 (a) of Punjab Civil Services Rule.
3. Though, in para 13(iv), the petitioner has stated that appeal is pending before the CBI Court, Mohali, however, in the written statement, it has been stated to have been dismissed vide judgment dated 09.09.2019, Annexure R-8, against which CRR-3533-2019 has been filed before this Court and the

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same is yet to be decided.

4. In so far as gratuity is concerned the same is not payable, during the pendency of the appeal, as it is continuation of trial, held in **The Secretary, Local Self Government Department and others Etc. vs. K.Chandran Etc.** Civil Appeal Nos. 7437-7438 of 2021, decided on 15.03.2022.

5. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the Appellate Authority shall re-examine the case and decide afresh, taking note of the afore submissions made above, within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

6. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same may be passed after granting opportunity of hearing to him and shall contain reasons, whereupon he shall be free to seek legal redress thereupon.

**05.03.2025**

ashok

**(AMAN CHAUDHARY)**

**JUDGE**

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