

**POSITION OF COURT CASES ON PENSIONERS ISSUES**  
**(FOR CIVIL/ MILITARY PENSIONERS)**  
**(CASES PENDING IN CAT/ AFT / HIGH COURTS & SUPREME COURT)**  
(As per feed-back up to 1st December, 2010)

---

**A. Pre 2006 S29 (Haryana State) Cases in Punjab & Haryana High Court, CHANDIGARH**

- 1.. Civil writ petition 19641 of 2009 R.K.Aggarwal & Others vs State of Haryana  
Petitioner's Adv. : Veena Ashwani Talwar  
Next Date of Hearing: **17<sup>th</sup> Dec. 2010**
  2. Civil Writ Petition 19642 of 2009 Satish Bhalla & others vs State of Haryana  
Petitioner's Adv. Veena Ashwani Talwar  
Next Date of Hearing: **Clubbed with 1 above.**
  - 3.Civil Writ Petition 3452 of 2010 O.P. Kapur and others vs. State of Haryana  
Petitioner's Adv.: Manohar Lall  
Next Date of Hearing: **15<sup>th</sup> Jan. 2011**  
Category: Govt Service (HY)/Retiral benefit
- 

**B (i). Cases in PR CAT, Delhi**

- 1.22 O.A. 3079/2009 MA. 2136/2009 CENTRAL GOVT. PENSION ASSOCIATION ADDL./JT.  
SECRETARY SH. L.R. KHATANA  
REVISION OF  
PENSION V/s -----  
◄A↓ U.O.I.-M/O PPG&P SH. KRISHAN KUMAR  
WITH SH. RAJESH KATYAL  
SH. R.K.SHARMA  
SH. RAJINDER NISCHAL
- 2.O.A. 201/2010 M.L. GULATI SH. S.K. RAY  
V/s -----  
U.O.I.-M/O PPG&P SH. KRISHAN KUMAR  
SH. RAJESH KATYAL  
SH. R.K.SHARMA  
SH. RAJINDER NISCHAL
- 3.O.A. 306/2010 D.L. VOHRA SH. SUSHIL KUMAR MALIK  
V/s -----  
U.O.I.-M/O PPG&P SH. R.K. SHARMA  
SH. KRISHAN KUMAR  
SH. RAJESH KATYAL  
SH. RAJINDER NISCHAL

4.O.A. 507/2010 P.P.S. GUMBER SH. SUSHIL KUMAR MALIK  
MA. 346/2010 V/s -----  
U.O.I.-M/O PPG&P SH. R.K. SHARMA  
SH. RAJESH KATYAL  
SH. RAJINDER NISCHAL  
SH. KRISHAN KUMAR

5.23 O.A 937/2010 MA. 907/2010 A.I. S-30 PENSIONERS ASSOCIATION SH. TARUN  
GUPTA  
PAY FIXATION V/s -----  
PPG &P SH. KRISHAN KUMAR  
WITH

6.O.A. 2087/2009 RANVIR SINGH INPERSON  
V/s -----  
U.O.I-M/O PPG&P SH. RAJENDER NISCHAL

**7.O.A. 655/2010 MA 476/2010 CENTRAL GOVT. SAG (S-29)**  
**PENSIONERS** SH. TARUN GUPTA  
DOP&T SH. KRISHAN KUMAR

8.O.A.2101/2010 CENTRAL GOVT. PENSIONERS ASSO SH. L.R.KHATANA  
MA 1681/2010 V/s -----  
D.O.P.&T

Hearing began on 16th Aug 2010. Our Sr Counsel had initiated the case as Lead Adv. for S29 Cases. After initial deposition on the equality-inequality issue, the Judges had opined that as there is no response from Govt side, they may request the ASG to explain the Govt stand on the issue. On 26th Aug 2010, the Govt. side sought more time for ASG to appear (?). **So the next date of hearing is fixed on 1<sup>st</sup> Dec. 2010.**

9. Pre 2006 S30 Pensioner Case ( Cause of Action same as AIS30PA, Delhi - Prem Sharma Group)at CAT, Patna/Delhi

( i )MMP Sinha Vs UOI (ii) R M Raina

Concluded in March 2010 **Judgment DELIVERED on 28th and 25th May 2010.**  
Details to be collected. (Raina's Case at Delhi CAT appears to be disposed off with a suggestion to Govt to consider the petitioner's plea that no S30 Pensioner shd draw less than highest possible S29 Pensioner ie not less than 67000 plus 10000 summed and divided by two wh is 38500- pl chk Judgment).

-

B (ii) OA No 568 of 2010 (DeSPA) viz.DRDL etc Pre 2006 S29 Pensioners Vs UOI at CAT,  
HYDERABAD  
By Kotra Mallikarjuna Rao & Others-

After brief presentation by Lawyer, the case filed by DeSPA(DEFENCE SCIENTISTS PENSIONERS ASSOCIATION) & MALLIKHARJUNA RAO IS ADMITTED ON 9-06-2010 BY CAT ,HYDERABAD.

**The case came up on 23rd Aug 2010. However since Govt Lawyer is absent, posted to 30th Aug 2010. Counter not yet filed by govt**

**(UPDATE REQUIRED)**

**(iii) Case at CAT,HYDERABAD.**

**O.A. (SR) No.2413/9 of 15-09-2009**

**Between:**

**Petitioners:**

**A.J Gurushankar, S/O Late A. Jagadia,  
Aged about 78 years.occ:Sr. Dy.G.M.S.C.Rly./SC  
Employee,R/O. Plot No.61,Gordhanpuri,  
Yapral,Secunderabad-500 087 and others.**

**Vs**

**Respondents:**

**Union of India, Rep. by its Secretary,  
Dept. of Pension & Pensioners Welfare,**

**(Shri Gurushankar sent message from USA to Sri N Ramaswami (on 7. 6 2010):**

**“I am in USA from 22nd April till 20th Oct. I had requested Sundararajan to follow up our case and I have no news from him. Our lawyer was in USA and has returned to Hyderabad. He had promised to follow up and let me know. I have no news from him also**

**No date so far.**

**(iv) S26 Pre-2006 Pensioners OA filed recently for admission.**

**Dr Kotra informs:**

**Another case is filed at CAT Hyderabad by DeSPA HYD on behalf of S-26 GROUP.  
After admission& getting the OA No I will inform the details**

---

**C.Case in UP High Court at Bench at LUCKNOW (*earlier filed in Supreme court*)**

**UP Retd IAS/IPS/IFS Officers' Association Vs Union of India**

**WP( C ) No: 203 (S/B) of 2010**

**Waiting for next date in a different bench.**

-----  
**D. DELHI HIGH COURT**

(17th, May, 2010 )

**COURT NO. 7**

**HON'BLE MS. JUSTICE GITA MITTAL**

**HON'BLE MS. JUSTICE INDERMEET KAUR**

**Court No.**

**1 W.P.(C) 3359/2010**

**[PENDING] Order(s)**

**Judgement(s)**

**ALL INDIA EX-PARA MILITARY PERSONNEL ASSOCIATION**

**Vs. UNION OF INDIA ORS.**

**Advocate : PRASHANT BHUSHAN**

**Court No. : 7**

**WPC 3359**

**Next Date : 14thDec. 2010**

**Admitted on 17 05 2010; Notice given to Respondents; Date given 11<sup>th</sup> AUGUST 2010.**

**Govt. did not submit any "Counter" on 11.08.10 but requested for more time, which was given by the Court.. Govt. submits Reply. Rejoinder also filed.(2<sup>nd</sup> Oct.)**

-----

**E (i). Rtd Maj Gen. SPS Vains Contempt Case**

**Contempt Petition (Civil) 64/2009**

**STATUS PENDING**

**Cause Title**

**MAJ. GEN. SPS VAINS & ORS.**

**Vs.**

**SH. VIJAY SINGH & ANR.**

**Advocate Details**

**Pet. Adv. MS. S. JANANI**

**Res. Adv. MRS ANIL KATIYAR**

**Subject Category**

**MATTERS PERTAINING TO ARMED FORCES & PARA MILITARY FORCES**

**Listing Details**

**Matter was Listed 9 Times Earlier.**

**Next Date of Listing 24 01 2011**

**HSC Order on 6th Aug 2010 hearing:.**

**An affidavit has been filed on behalf of the alleged contemnors indicating that the orders passed by this Court have been duly complied with.Matter was listed on 9th September, 2010,**

for consideration of the said affidavit. (In the meantime, the petitioners will be entitled to file an affidavit in respect of their contentions).

However on 9th Sept 2010, Sr Adv of petitioners was indisposed. **Case adjourned. Next Date fixed now 24 01 2011.**

E (ii) & (iii)

AFT Directives on pre- 2006 Rtd Maj Gen parity case OA 100/2010 and another case by Rtd Soldiers (PBORs) on OROP AFT Chandigarh:

verdict delivered on 4th March 2010 (?) in favour of the appellants with 3 months/ 4 months time-frame for Govt to implement.

**Adjourned to 14th Sept 2010.(?) (UPDATE/CORRECTION NEEDED)**

---

### ***FIRST CASE TO BE DECIDED:***

**F.(i) PR AFT, Delhi Case on Modified Parity by Rtd Lt Cdrs/ Majors (More than 135) etc Vs UOI**

**OA No 24/2010**

**WRITTEN AFFIDAVIT GIVEN BY PETITIONERS. On 7th Sept 2010, in the hearing, RESPONDENTS SOUGHT TIME TO PERUSE AFFIDAVIT. Case heard/ Judgment delivered 15/16 Sept 2010 in favour of Petitioners. Posting of Judgment Copy in website of PR AFT, Delhi awaited.**

---

**(ii) AFT, Chandigarh Case on Modified Parity by Rtd Majors (Maj Navdeep Singh)-17 Rtd Majors plus 45 Sqdrn Leaders - Adjourned to 1st Nov 2010 FOR FINAL DISPOSAL. Judgement awaited.**

---