
(2006) 02 DEL CK 0147
In the Delhi High Court
Case No : LPA 927 of 2004

Balbir Singh Kaushal

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 06-02-2006

Acts Referred:

Citation : (2006) 02 DEL CK 0147

Hon'ble Judges : Markandeya Katju, C.J.; Madan B. Lokur, J

Bench : Division Bench

Advocate : A.S.N. Murti, for the Appellant; V.S. Tomar, for the Respondent

Final Decision : Dismissed

Judgement

Markandeya Katju, C.J.—This Writ Appeal has been filed against the impugned judgment of the learned Single Judge dated 05.05.2004, by which he has dismissed the Writ Petitions No.7967/2003 & 8019/2002.

2. Heard learned counsels for the parties and perused the record.

3. The facts of the case have been set out in detail in the impugned judgment of the learned Single Judge and hence we are not repeating the same except where necessary.

4. The petitioners took voluntary retirement under the VRS floated by the respondent Hotel Corporation of India Ltd. Their applications were accepted and they were made payments as full and final settlement of their claims under the VRS.

5. After the petitioners employment had come to an end on grant of VRS to them, revised pay scales were made applicable to the Hotel employees from 01.01.1997. It is not disputed that the office memorandum by which the pay revision was effected was subsequent to the cessation of the employment of the petitioner/appellant.

6. The Government of India issued a memorandum dated 6.11.2001 which stated:-

The employees, who have already been released by PSUs before the date of issue of OM shall not be covered under the modified scheme.

7. Hence in our opinion, the learned Single Judge has rightly held that the petitioners cannot claim any amount over and above what they had already been granted when they had taken the VRS, and they cannot get benefit of revision of pay scale in view of judgment of the Supreme Court in A.K. Bindal and Another Vs. Union of India (UOI) and Others, .

8. There is no infirmity in the impugned judgment of the learned Single Judge and hence this Writ Appeal is dismissed.