

Welfare Association of Absorbed Central Government Employees in Public Enterprises

Vs

Union of India and Others

Writ Petition No. 1068 of 1987

(Ranganath Misra, M. M. Puchhi JJ)

12.04.1990

ORDER

1. This application under Article 32 of the Constitution is a class action on behalf of the Welfare Association of Absorbed Central Government Employees in Public Enterprises asking for the benefit of the judgment of this Court in "Common Cause" a Registered Society v. Union of India ((1987) 1 SCC 142). The write petition "Common Cause" was on behalf of the government servants who had commuted their pension partially and this Court for the reasons indicated in the judgment came to hold that on the expiry of 15 years from the date of commutation the entire pension revived. The petitioners are person who have, at the time of retirement from government service and entering into the public sector, taken the advantage of commuting the entire pension. They certainly belong to a class different from those whose case was before this Court at the instance of the Common Cause in Writ Petitions Nos. 3958-61 of 1983. Commutation does bring certain advantages to the commute and the class of government officers whom the petitioners seeks to represent have derived such benefits. We do not think there is any basis in the allegation that by not extending the benefit of the decision of this Court referred to above, to the category reprinted by the petitioner there is any infringement of Article 14 of the Constitution. We accordingly dismiss the petition. No costs.

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