

**IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH**

CWP No. 8377 of 2003

Date of Decision: December 15, 2011

Malwinder Jit Singh Waraich

...Petitioner

Versus

Union of India

..Respondent

**CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

Present: Mr. Malwinder Jit Singh Waraich, petitioner in person.

Mr. O.S. Batalvi, Standng counsel for UOI

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported
in the Digest?

M.M. KUMAR, J.

1. A nationalist and a spirited Advocate of this Court, Mr. Malwinder Jit Singh Waraich has filed the instant petition with a prayer that the sacrifices made by the martyrs and revolutionaries of Kama Gata Maru of 1914-15 have gone unnoticed and even their names have not been recognised in the list of movements recognized for the purpose of Swatantra Sainik Samman Pension Scheme, 1980 (for brevity '1980 Scheme'). The petitioner is a researcher of the movements and mutinies relating to the freedom of India and has published many books on the subject. However, Government of India, Ministry of Home Affairs, Freedom Fighter Division, has issued a letter dated 07.09.2009, stating that in February, 2005, the Ministry has

already made a submission in this High Court that Kama Gata Maru Movement was part of the freedom movement and it is a matter of historical record. It has further been clarified that any participant of this Movement would be covered by 1980 Scheme and if satisfies the eligibility criteria then he would be eligible for pension.

2. In view of the aforesaid letter, the writ petition has been rendered infructuous and is disposed of as such.

(M.M. KUMAR)
JUDGE

(RAJIV NARAIN RAINA)
JUDGE

December 15, 2011
Atul