

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.11300 of 2016

Date of Decision: 01.06.2016

Devender Kumar Bansal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Kshitij Sharma, Advocate,
for the petitioner.

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

RAJIV NARAIN RAINA, J.

Claims enhanced payment of 75% subsistence allowance during the period of suspension of service from January 14, 2010 till May 31, 2013. The petitioner was paid 50% of the pay during the period but the Govt. instructions were not followed by enhancing it to 75% beyond six months in terms of Rule 7.2 of the PCS Rules, Volume-II.

Notice of motion.

On the asking of the Court, Mr. Harkesh Manuja, Addl. AG, Punjab accepts notice and waives service on the respondents.

Mr. Sharma has supplied two sets of the paper-book to Mr. Manuja in Court. He has going through the same in Court.

The issue is based on clear rule and should not detain the court any further other than directing the State to consider the representation of the petitioner dated March 28, 2016 (P-16) in the light of the rules and instructions.

Consequently, this petition is disposed of with a direction to the State to consider and decide the aforesaid representation as per rules demanding claim noticed above and to take a final decision within four weeks from the date of receipt of certified copy of this order. In the making of the order, the petitioner would be heard after notice is issued to him. Meaningful reasons will be assigned in the order accepting or declining the request. In case, the claim is found maintainable and the money is due and payable then consequential benefits can be released within the next two weeks.

With the above observations and directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

01.06.2016
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