

C.W.P No. 1577 of 2015

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 1577 of 2015

DATE OF DECISION:21.10.2016

Jatinder Singh Bajwa

.....Petitioner

Versus

State of Punjab and others

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Arvinder Singh, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Punjab.

DAYA CHAUDHARY, J.

The prayer in the present petition is for issuance of a writ in the nature of mandamus directing the respondents to refix the basic pay of the petitioner from ₹ 32310/- to ₹ 32610/- i.e. equivalent to the basic pay of his three juniors.

Notice of motion was issued on 10.2.2015.

In response to notice of motion, reply on behalf of respondent-State has already been filed and the same is on record. The relevant portion of the reply is reproduced as under:-

“That the pay of the petitioner has been refixed by raising his basic pay from ₹ 32310/- to ₹ 33280/- vide order dated 15.4.2015. Copy of pay fixation is annexed as Annexure R-1.

That the arrears amounting to ₹ 1,59,762/- on account of re-fixation of pay of the petitioner has been released and deposited in the Bank Account of the petitioner.

That the petitioner has also been granted regular pension by the Accountant General, Punjab, Chandigarh vide letter dated 24.8.2015 vide PPO No. Punjab/1115038819. Copy of letter dated 24.8.2015 is annexed as Annexure R-2.

That death cum retirement gratuity (DCRG) amounting to Rs. 10,00,000 (Ten Lacs only) has also been sanctioned to the petitioner vide No. 8189-93/P.F. Dated 17.9.2015. Copy of letter dated 17.9.2015 is annexed as Annexure R-3/ The Leave Encashment amounting to Rs. 6,46,200/- (Six Lac, forty six thousand, two hundred only) has also been sanctioned to the petitioner vide letter No. 2219-22/P.F. Dated 5.3.2015. Copy of letter dated 5.3.2015 is annexed as Annexure R-4.

That the revised pension case of the petitioner raising his basic pay from Rs. 16155/- to Rs. 16640/- after re-fixing the pay has also been sent to the Accountant General, Punjab, Chandigarh vide letter dated 21.9.2015. Copy of letter is annexed as Annexure R-5.

That the petitioner being handicapped employee, retired from Government service on dated 28.2.2015 after attaining 60 years of age and as per the instructions of the Punjab Government dated 21.11.2014, blinds and physically handicapped employees whose retirement age is 60 years will not be increased for two years. Copy of letter dated 21.11.2014

is annexed as Annexure R-6.”

In view of detailed facts as mentioned above in the reply, it is clear that the needful has been done as not only the pay has been refixed but amount of arrears has also been released.

Accordingly, the present petition is disposed of.

In case, anything remains to be paid, the petitioner is at liberty to move representation to the concerned authority.

October 21, 2016
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No