

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

CWP No. 4714 of 2016
Date of decision: 25.04.2016

Amrit Singh

....Petitioner(s)

Versus

The Punjab Health Systems Corporation

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. B.S. Sidhu, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The present petition has been filed for issuance of directions to the respondents to release the retiral benefits i.e. arrears of pay fixation, calculating the arrears of salary by refixing the scale from ₹4,400/- to ₹5,877/- and ₹9,800 w.e.f. 01.01.2006 and ₹14,290/- w.e.f. 1.11.2011 alongwith interest @ 18% p.a.

The pleaded case of the petitioner is that he joined as a Clerk in SPINFED, Head Office at Chandigarh on 31.12.1990 and thereafter, on 15.04.1998, he joined as a clerk with the respondent-corporation on deputation. He was absorbed on contract basis on 16.04.1999 @ ₹4,400/- per month and thereafter, his pay was fixed at ₹5,877/- on 06.12.2010 while giving him the benefit of past service rendered in SPINFED. On 27.05.2012, respondent re-fixed his pay to the tune of ₹6,398/- and subsequently @ ₹14,290/- and he thereafter superannuated on 30.09.2013.

It is, however, the case of the petitioner that the benefits have not been paid to him and he had represented on 30.07.2014 (Annexure P-1) but no action

has been taken.

Counsel submits that he would be satisfied if the above said representation is decided within a time bound frame.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need to call for the respondents to file reply as the decision making is still to be completed.

Accordingly, without commenting on the merits of the case and the entitlement of the petitioner regarding the above said claim, the writ petition is disposed of with a direction to the Managing Director of the respondent-corporation to decide the representation dated 30.07.2014 (Annexure P-1) within a period of 3 months from the date of receipt of certified copy of the order. If the amounts are found to be due and there is no legal impediment, the same shall be paid to the petitioner within a period of 2 months thereafter. Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

25.04.2016
shivani

(G.S. SANDHAWALIA)
JUDGE