

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

**Civil Writ Petition No.90 of 2016**

**Date of decision: 7.1.2016**

Juj Kumar Sathi

**...Petitioner**

**Versus**

The State of Punjab and others

**...Respondents**

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

Present: Mr. S.L.Chander Shekhar, Advocate for the petitioner.

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**G.S.SANDHAWALIA, J. (Oral)**

The petitioner seeks the relief of fixation of pension with effect from 1.1.1996.

It is the case of the petitioner that he was working as Peon in the office of respondent no.4-Deputy Commissioner, Amritsar since 1964. His services were terminated on 12.6.2004 without any proper enquiry and the same was challenged by filing Civil Writ Petition No.3092 of 2007 which was allowed on 3.2.2009 (Annexure P/1). This Court had directed that the petitioner would get notional benefit of increments and pay revision but he was held not entitled to monetary benefits for the time he remained out of service and the termination order dated 12.6.2004 was quashed. In the meantime, the petitioner had retired from service on 31.3.2005. In such circumstances, the relief of revision of pay scale and the pension is sought.

Counsel for the petitioner submits that the legal notice dated 26.5.2015 (Annexure P/3) has already been issued to the respondents but no action has been taken on the same and he would be satisfied if a direction is issued to respondent no.4 to decide the said legal notice within some fixed time frame.

Notice of motion.

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts

notice on behalf of respondents. Copies of the writ petition have been supplied to him.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, without commenting upon the merits of the case the present writ petition is disposed of with a direction to respondent no.4 to take into consideration the said legal notice dated 26.5.2015 (Annexure P/3) and pass an appropriate order in accordance with law within a period of three months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled for the said benefit, the same be paid to be him within two months thereafter. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

**January 07, 2016**  
**Pka**

**(G.S.SANDHAWALIA)**  
**Judge**