250

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 17117 of 2016 (O&M)
Date of Decision: 08.05.2017

GULZARI LAL AND OTHERS ***… Petitioners***

V/s.

STATE OF PUNJAB AND OTHERS ***...Respondents***

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sunny Singla, Advocate,
for the petitioners.

Ms. Vandana Malhotra, Addl. A.G., Punjab.

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KULDIP SINGH, J. (Oral)

The petitioners have preferred this writ petition under Article 226/227 of the Constitution of India for issuance of writ of Certiorari for quashing of Punjab Government circular dated 13.06.2012 *(Annexure P-12)* and for issuing of writ of Mandamus directing the respondents to re-fix the pension of the petitioners as per Government Circular dated 17.08.2009, 22.02.2010 and 17.08.2009 *(Annexure P-9, P-10 and P-11 respectively)* on account of increase in pay-scales/grade pay and revise pensionary benefits notionally especially in view of decisions of Hon'ble Supreme Court and Hon'ble High Court.

Learned counsel for the petitioners the present petition is covered by the judgment dated 30.09.2016 passed in *CWP No. 2866 of 2014* titled as "*Karanvir Singh and Others* ***Vs.*** *State of Punjab and Others*"

Now, the short prayer of the petitioners is that the respondents may be directed to decide the legal notice dated 20.03.2016 *(Annexure P-15)* of the petitioners within a specific time frame.

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In the circumstances, the present writ petition is disposed of, with a direction to the respondents to decide the aforementioned legal notice dated 20.03.2016 *(Annexure P-15)* of the petitioners by passing a speaking order in view of the aforementioned judgment passed in *Karanvir's case (Supra)* within a period of two months from the date of receipt of certified copy of this order. If it is found that the claim of the petitioners are covered under the aforementioned judgments, necessary relief shall be granted to them within three months from passing of the speaking order.

However, the Government can wait for the decision of Special Leave Petition (SLP) against *Karanvir's case (Supra),* if filed*,* and take a final decision, after the decision of the SLP. If the SLP is dismissed, the directions contained in this order shall be complied with within two months of dismissal of the said SLP and if the same is allowed then subject to the decision of the SLP.

May 8, 2017 **(KULDIP SINGH)**
Suresh Kumar **JUDGE**

Whether speaking / reasoned : ✔ ***Yes / No***

Whether Reportable : ***Yes /*** ✔ ***No***

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