

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

**CWP No. 15132 of 2017
DECIDED ON: July 14, 2017**

GURDEV SINGH AND OTHERS

.....PETITIONERS..

VERSUS

**PUNJAB STATE POWER CORPORATION LTD.RESPONDENTS..
AND OTHERS**

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Goklaney, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ of certiorari, quashing the Punjab Government Circular dated 13.06.2012 (P-4) and for issuing a writ of mandamus directing the respondents to re-fix the pension of the petitioners as per Government circular dated 17.08.2009 (P-1), 22.02.2010 (P-2) and 17.08.2009 (P-3) on account of increase in pay scales/grade pay and revise pensionary benefits notionally.

2. At the very outset of the arguments, learned counsel for the petitioners submits that as far as the relief for quashing the Punjab Government circular dated 13.06.2012 (Annexure P-4) is concerned, he does not press the same at this stage. However, learned counsel for the petitioners has claimed the

benefit accrued to them on the basis of judgment passed by this Court in CWP No.25733 of 2012, titled as “**A.P. Sharma and others v. State of Punjab and others**” decided on 22.10.2013. Learned counsel for the petitioners has also pointed out that Special Leave Petition filed by the State against the aforesaid judgment i.e. **A.P. Sharma's case (supra)**, has also been dismissed by the Hon'ble Apex Court vide order dated 31.08.2016. As such, A.P. Sharma's judgment has attained finality.

3. Learned counsel for the petitioner further contends that legal notice dated 26.12.2016 (Annexure P-8) was served upon the respondents but till date no cautious decision has been taken by them.

4. Taking into consideration the aforesaid aspects of the case, this Court is of the considered view that issuance of notice is not required, at this stage.

5. Accordingly, instant petition is disposed of with a direction to official respondent(s) to look into the grievances unfolded by the petitioners in their legal notice dated 26.12.2016 (Annexure P-8) and take an appropriate decision keeping in view the judgment rendered by this Court in “**AP Sharma's case (supra)**”, within a period of 3 months from the date of receipt of a certified copy of this order. In case, concerned authority comes to the conclusion that the petitioners are entitled to the benefit claimed by them through legal notice, the benefit thereof shall be released in their favour within a period of next two months.

July 14, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No