

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

CWP No.2135 of 2014
DATE OF DECISION:18.08.2017

Gurbax Singh Sahni

...Petitioner

Vs.

State of Punjab & another

...Respondent

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Puran Chand Arora, Advocate
for the petitioner.

Ms. Anu Chatrath, Additional A.G., Punjab
for the respondents-State.

DAYA CHAUDHARY, J.(ORAL)

The petitioner filed the present petition seeking directions to the respondents to fix notional pay from 01.03.1990 in the revised scale introduced from 01.01.1986 and further from 01.01.1996 in revised scale keeping in view the option exercised by the petitioner on 11.12.2012 in pursuance of Government letter dated 25.10.2012 and also to revise the pension on the basis of notional pay so fixed.

Learned counsel for the petitioner submits that case of the petitioner is squarely covered by the decision rendered in CWP No.7464 of 2009 decided on 25.02.2010

In response to notice of motion, reply has been filed which is on record.

Learned State counsel submits that all benefits have been released to the petitioner and the present petition has become infructuous, whereas learned counsel for the petitioner submits that there was an inordinate delay and petitioner is also entitled for interest.

A perusal of prayer clause of the petition shows that there is no prayer for grant of interest. However, such prayer has been made in the rejoinder. It has also been mentioned that a legal notice was also served in this regard. Copy of the legal notice has not been placed on record with the rejoinder.

While considering the submissions made by learned counsel for the parties, it is made out that the necessary relief has been granted to the petitioner.

So far as the interest part is concerned, the petitioner is at liberty to make representation to the respondents. In case such representation is made, the respondents are directed to consider the same and pass necessary order in accordance with law within a period of one month. In case the petitioner is found entitled for interest, the same may be granted within three months thereafter. In case any adverse order is to be passed, it should be speaking and detailed one.

Disposed of accordingly.

18.08.2017
rimpal

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No