

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

Sr. No.141

Civil Writ Petition No.17492 of 2017
DECIDED ON: August 08, 2017

KRISHAN LAL

..PETITIONER

VERSUS

UNION OF INDIA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Mansur Ali, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ, order or direction, directing the respondents No.2 to 4 to decide his claim vide applications dated January 04, 2013 (Annexure P-4) as well as dated February 06, 2017 (Annexure P-7); further directing the respondents to grant similar benefits as have been granted to similarly situated employee as highlighted in letter dated July 15, 2016 (Annexure P-5) and to release the enhanced pension under Modified Assured Career Progression Scheme (MACPS) dated June 09, 2009 (Annexure P-1) and 6th Pay Commission along with interest @ 24% per annum till the date of payment.

2. The contention of learned counsel for the petitioner is that petitioner retired from service on November 20, 2000 on attaining the age of superannuation. Petitioner completed all formalities and submitted

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necessary documents as required by the respondents vide letter dated December 17, 2012 (Annexure P-3) but till date revised pension has not been paid as per Sixth Pay Commission (as per ACP Scheme) for pre-2006 pensioners. Even, a legal notice dated February 06, 2017 (Annexure P-7) served upon respondent No.2 but neither any reply nor any benefit claim through aforesaid legal notice has so far been released/disbursed to the petitioner. Learned counsel further contends that similarly situated persons have already been granted the benefits which have been sought by the petitioner through instant petition, vide letter dated July 15, 2016 (Annexure P-5)

3. Instant petition is disposed of with a direction to respondent No.2-Director Accounts, Pay & Accounts Division, Border Security Force, Madangiri, Pushpa Bhawan, New Delhi to look into the grievances unfolded by the petitioner in his legal notice dated February 06, 2017 (Annexure P-7) and take a conscious decision particularly in terms of letter dated July 15, 2016 (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order that too, after hearing the petitioner and passing a speaking order.

4. However, if petitioner still feel aggrieved by any order of respondent No.2, he shall be at liberty to approach this Court.

August 08, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**