

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

CWP No.2355 of 2015 (O&M)

Date of decision: September 14, 2017

Ramesh Kumar Kandhari and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. O.P. Gabba, Advocate
for the petitioners.

Ms. Sudeepti Sharma, Addl. A.G., Punjab.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature of certiorari for setting aside the order issued by way of letter No.3/39/09-3FPPC/576 dated 13.06.2012 by the Government of Punjab, Department of Finance, Finance Pension Policy and Coordination Branch, Chandigarh (P/11) whereby request of the pensioners for revising their pension as per the notifications P/3 to P/10 in terms of para 4.2 of Punjab Government Letter No.3/23/09-3FPPC/885 dated 17.08.2009 (P/1) and letter No.3/39/09-3FPPC/201 dated 22.02.2010 (P/2) was declined AS WELL AS for issuance of writ in the nature of mandamus directing respondents to revise their pension in terms of aforesaid notifications and by giving benefit of the scales and grade pay for the period from 01.09.2011 till 01.12.2011, since the matter stands covered as per orders dated 22.10.2013 issued by this Court in CWP No.25733 of 2012 (Annexure P/12) along with all consequential benefits of fixation of

pension etc. with interest on arrears @ 18% per annum from the date of accrual till realization.

At the very outset of the arguments, learned counsel for the petitioners Mr. O.P. Gabba has fairly conceded that in the light of instructions/letter No.4/13/2013-1FPPC/1010607/1 dated 27th June, 2017 as well as another letter No.No.4/13/2013-1FPPC/1035969/1 dated 2nd August, 2017, instant petition has rendered infructuous. However, he submits that a direction be issued to the respondents to comply with the aforesaid instructions/letters in its letter and spirit within some specified time.

Accordingly, instant petition is disposed of with the direction to the respondents to do the needful and release the benefits accrue to the petitioners on the basis of the aforesaid instructions/letters within a period of three months from the date of receipt of certified copy of this order. However, if compliance is not made within the aforesaid specified period of three months, arrears, if any, shall carry interest @ 9% per annum from the date of expiry of three months period till its actual payment.

September 14, 2017

m. sharma

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No