

CWP No. 24830 of 2017

DECIDED ON: NOVEMBER 01, 2017

BALWINDER SINGH & OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Munish Gupta, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of writ in the nature of mandamus directing the respondents to consider and decide their pending claims, especially legal notice (Annexure P-9) for revision of pensionary benefits/pay, alongwith arrears, by notionally promoting the petitioners, in terms of Punjab Roadways (Operational) Rules, 2000 and for grant of any consequential relief in terms thereof.

2. Learned counsel for the petitioners has submitted that petitioners have served a legal notice dated October 18, 2016 (Annexure P-9) upon the respondents but despite that fact a period of more than one year have expired, no action has been taken by the authorities concerned. Moreover,

petitioners also feel satisfied in case a direction is issued to respondents to decide the legal notice dated October 18, 2016 (Annexure P-9) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioners in their legal notice dated October 18, 2016 (Annexure P-9) and to take a conscious decision within a period of four months from the date of receipt of certified copy of this order in accordance with law by passing a speaking order; that too after hearing the petitioner. In case the authority comes to the conclusion that petitioners are entitled to the relief(s) claimed by them, the arrears thereof, shall stand restricted to a period of 38 months prior to the date of filing of instant writ petition, in view of Full Bench judgment passed by this Court in the case of **Saroj Kumari vs. State of Punjab; 1998 (3) SCT 664**, as well as the judgment passed by this Court in CWP No. 18804 of 2017, titled as **Dharamveer Maini & others vs. Punjab State Power Corporation Ltd. & others;** decided on August 23, 2017. However, in case the petitioners still feel aggrieved of the order passed by the authorities concerned, they shall be at liberty to approach this Court.

NOVEMBER 01, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*