

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 28136 OF 2017
DECIDED ON: DECEMBER 12, 2017

OM PARKASH AND OTHERS

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gulzar Mohd., Advocate
for the petitioners.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of certiorari quashing Punjab Government Circular dated 13.06.2012 (P-12) and for issuing a writ in the nature of mandamus directing the respondents to refix the pension of the petitioners as per government circular dated 17.08.2009 and 22.02.2010 (P-9 to P-11) on account of increase in pay scales/grade pay and revise pensionary benefits notionally especially in view of decisions of Hon'ble Supreme Court and Hon'ble High Court.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though legal notice dated 18.05.2017 (Annexure P-16) was duly served upon the respondents but till date no conscious decision has been taken. He feels satisfied in case direction is issued to respondent(s) to

decide aforesaid legal notice, within a stipulated period.

3. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioners in their legal notice dated 18.05.2017 (Annexure P-16) and to decide the same in accordance with Rules, Regulations and Instructions issued by Govt. from time to time, within a period of three months from the date of receipt of certified copy of this order. In case, the concerned authorities come to the conclusion that petitioners are entitled to the relief claimed, that would stand restricted to 38 months in view of Full Bench judgment of this Court in *“Saroj Kumari v. State of Punjab and others”, 1998(3) SCT 664.*

5. However, if the petitioners still feel aggrieved against the order passed by the concerned authority, they shall be at liberty to approach this Court.

DECEMBER 12, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*