

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

**CIVIL WRIT PETITION NO.744 OF 2017
DATE OF DECISION: JANAUARY 18, 2017**

Sukhdev Singh

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Naveen Daryal, Advocate for
Mr. Sunny Singla, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this writ petition is for issuance of writ of mandamus, directing the respondents to release the arrears of revised pay and pension to the petitioner as per the recommendation of the 5th Pay Commission, which has not been released alongwith 18% interest on the delayed payment.

Counsel contends that the petitioner joined the Department on 04.11.1979 and retired on 31.08.2008, on attaining the age of superannuation. He was entitled to the grant of arrears of pay and consequently the revised pension, which has, till date, not been released to him. Claiming the said benefit, petitioner has served a legal notice dated 12.05.2016 (Annexure P-3) upon the respondents but till date no decision thereon has been taken.

Counsel contends that the petitioner, at this stage, would be

satisfied if a direction is issued to the Director, Local Government Punjab, Municipal Bhawan Plot No.3, Sector 35-A, Chandigarh, Deputy Director Local Government, Amritsar and the Executive Officer, Nagar Council, Majitha, District Amritsar, respondent Nos.2 to 4 respectively, to consider and decide the legal notice dated 12.05.2016 (Annexure P-3) within some specified time.

In view of the statement made by the counsel for the petitioner, without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Director, Local Government Punjab, Municipal Bhawan Plot No.3, Sector 35-A, Chandigarh, Deputy Director Local Government, Amritsar and the Executive Officer, Nagar Council, Majitha, District Amritsar, respondent Nos.2 to 4 respectively, to consider and decide the legal notice of the petitioner dated 12.05.2016 (Annexure P-3), within a period of three months from the date of receipt of certified copy of this order by passing a speaking order.

In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to him in accordance with law within a further period of one month. In case the claim of the petitioner is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.

January 18, 2017
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No