

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

Sr. No.237

Civil Writ Petition No.13403 of 2017
DECIDED ON: July 26, 2018

KARNAIL SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. A.K. Walia, Advocate,
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to revise his pension on the basis of re-vised pay scales w.e.f. 01.12.2011 as per letter dated 15.12.2011 (P-4) and Circular/letter dated 17.08.2009 (P-2), Circular dated 22.02.2010 (P-3) and judgments dated 22.10.2013 in CWP No.25733 of 2012 (P-6) as well as dated 30.09.2016 in CWP No.2866 of 2014 (P-8) WITH FURTHER issuance of a writ in the nature of certiorari quashing the impugned circular dated 13.06.2012 (P-5) issued by respondent No.1.

2. At the very outset of the arguments, it has been fairly conceded by learned State counsel Mr. B.S. Sewak, Additional Advocate General, Punjab that case of the petitioner for revision of his pay scales w.e.f. 01.12.2011 was considered in the light of the judgments rendered by this

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Court in CWP No.25733 of 2012 captioned as *A.P. Sharma & ors. vs. State of Punjab & ors.* decided on 22.10.2013 as well as CWP No.2866 of 2014 captioned as *Karanvir Singh & ors. vs. State of Punjab & ors.* decided on 30.09.2016 and finding that petitioner is entitled to the benefit of aforesaid judgments. His case has been sent to the office of Accountant General (A&E), Punjab, Chandigarh-respondent No.3 for further action.

3. From the perusal of the written statement filed by the respondents, it emerges that the matter was taken up with the office of Accountant General (A&E), Punjab, Chandigarh in the month of February, 2018. But after the expiry of a period of more than six months, no final decision has been taken by respondent No.3-Accountant General (A&E), Punjab, Chandigarh. At this juncture, parties are ad idem, instant petition can be disposed of with respondent No.3 to take a conscious decision and accord the necessary approval/sanction within some specified period.

4. In view of facts and circumstances narrated above, instant petition is disposed of with a direction to respondent No.3 – Accountant General, (A&E), Punjab, Sector 17, Chandigarh to take a final decision in the matter, within a period of two months from the date of receipt of a certified copy of this order. If needful is not done the aforesaid stipulated period, then the amount accrued on account of arrears, if any, shall carry interest @ 9% p.a. from the date of filing of instant petition till actual payment.

July 26, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**