

CWP No. 18905 of 2018
DECIDED ON: AUGUST 02, 2018

KULDIP CHAND AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashish Grover, 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 a writ in the nature of mandamus directing the respondents to remove the anomalies, especially as highlighted vide legal notice dated 05.03.2018 (P-9), consequently, disburse the benefits of revised pension and pensionary benefits w.e.f. 01.01.2006 along-with all consequential benefits @ 18% p.a after removing the same, especially keeping in view the judgment rendered by Hon'ble Division Bench of this Court in the case of *State of Punjab vs. A.P. Sharma and others;* decided on 31.08.2016 (P-7) with further direction to quash the letter dated 05.04.2018 (P-10) passed by respondent No.3 whereby, their claim has not been forwarded to the Department of Finance.

2. At the very outset, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondent No.3 to decide the legal notice dated 05.03.2018 (P-9) afresh, in a time bound manner.

3. In view of submission made by learned counsel for the petitioners but without expressing any opinion on the merits of the case, respondent No.3 is directed to look into the grievances unfolded by the petitioner in the legal notice dated 05.03.2018 (P-9) and to take a conscious decision in accordance with law, rules and regulations that too, by passing a speaking order considering all the facts narrated in the afore-said legal notice, within a period of three months from the date of receipt of certified copy of this order.

4. However, if petitioners still feel aggrieved by any inaction of the respondents, they shall be at liberty to have recourse to other remedies available under law including to approach this Court.

AUGUST 02, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>