

CWP No. 22518 of 2018

DECIDED ON: SEPTEMBER 06, 2018

BALDEV SINGH AND ORS

....PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagneshwar Walia, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

By virtue of instant 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 re-fix and re-calculate the retiral benefits i.e. commuted pension, leave encashment on the basis of last drawn pay by adding dearness allowance component for the purposes of calculating average emoluments reckonable for pension in terms of Rule 6.16 A, 6.19 (c), and 2.44 of Punjab Civil Services rules along with arrears and interest @18% per annum.

2. At the very outset of the arguments, learned counsel for the petitioners submits that though petitioners served legal notice dated 26.04.2018 (P-6) upon the respondents but till date no conscious decision has been taken.

He further submits that petitioners feel satisfied in case direction is issued to respondent No.2 to decide aforesaid legal notice, within a stipulated period

3. Instant petition is disposed of with a direction to respondent No.2-Director General of Police, Punjab, Sector 9, Chandigarh to consider the claim set up by the petitioners in the legal notice dated 26.04.2018 (P-6) and take a conscious decision in the light of judgment passed by this Court in CWP No. 18390 of 2018, titled as **Narinder Pal Singh vs. State of Punjab and others;** decided on 27.07.2018 (P-7), within a period of three months from the date of receipt of certified copy of this order.

4. However, if the petitioners still feel aggrieved against any of the order(s) passed by the concerned authority, they shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

SEPTEMBER 06, 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>