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

CWP No. 9946 of 2016 (O&M)
DECIDED ON: FEBRUARY 23, 2018

PARAMJIT KAUR AND ORS

.....PETITIONERS

VERSUS

STATE OF PUNJAB & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gaurav Sharma, Advocate for
Mr. Amit Chopra, Advocate
for the petitioners.

Ms. Sunnit Kaur, AAG, Punjab.

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JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioners have sought the issuance of a writ in the nature mandamus directing the respondents to revise/grant the pension to them without withdrawing the benefit of three increments which were granted to them at the time of their appointments on account of their possessing the qualification of Giani as well as for the issuance of a writ of mandamus not to effect any recovery from them on account of alleged withdrawal of the benefit of three increments.

2. At the very outset of arguments, it has been pointed out by learned counsel for the petitioner that though petitioner No.2 moved a representation

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dated November 24, 2015 (P-9) to respondent No.2 on her behalf as well as on behalf of other petitioners but till date no conscious decision has been taken. Moreover, the controversy involved in the instant case, as projected by learned counsel for the petitioner stands squarely covered by the judgement dated May 16, 2016, passed in CWP No. 16095 of 2012, titled as Baldev Singh & others vs. The State of Punjab & others; and that the petitioners have no objection in case the afore-said representation (P-9) be dealt with and disposed of by the respondents in terms of the afore-said judgment.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to consider the claim of the petitioners set out in representation (P-9) in accordance with law, rules and regulations as well as keeping in view the Baldev Singh's case supra, within a period of three months from the date of receipt of certified copy of this order.

4. However, in case respondents do not agree with claim set out by the petitioners in the representation (P-9), to pass a speaking order considering all the aspects rendered in the representation and in that event, petitioner shall be at liberty to have recourse to the remedies available to them under law including to approach this Court.

February 23, 2018 **(JASPAL SINGH)**
sham **JUDGE**

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*

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