

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

Sr. No.121

Civil Writ Petition No.6131 of 2018
DECIDED ON: March 14, 2018

RAM BAHADUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Nikunj Dhawan, Advocate for
Mr. Tapish Kumar Gupta, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents No.3 to 5 to release the increased amount of retirement-cum-death gratuity from the revised pay scale to the petitioner accrued on implementation of 5th Pay Commission w.e.f. 01.01.2006 (P-3) with consequential benefits and further to decide the legal notice/representation dated 20.11.2017 (P-12).

2. Learned counsel for the petitioner contends that petitioner served the office of respondent No.4 and retired from his respective post on 30.09.2008 on attaining the age of superannuation. He further contends that as per decision of Government of Punjab, the benefit of 5th Pay Commission was granted vide order dated 17.08.2009, which has been

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implemented w.e.f. 01.01.2006 and petitioner is also entitled for said benefit but the same has not been given to him. He also submits that he feels satisfied in case a direction is issued to respondent No.3 to decide the Legal notice dated 20.11.2017 (P-12) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.3-The Registrar of Co-operative Societies, Punjab, Sector 17, Chandigarh to look into the grievances unfolded by the petitioner in the legal notice dated 20.11.2017 (P-12) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice, within a period of four months from the date of receipt of a certified copy of this order. In case of non compliance of this order, petitioner shall be at liberty to approach this Court.

March 14, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**