

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2112 of 2019

Date of Decision : 25.01.2019

Milkhi Ram

...Petitioner

Versus

Border Security Force and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Nikhil Anand, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which has been raised by the petitioner is that though vide order dated 31.05.2013 (Annexure P-2) and sanction order dated 20.11.2013 (Annexure P-3), he has been held entitled for the disability pension from 27.12.1995, still the arrears as envisaged under the above mentioned orders have not been released so far despite a lapse of more than five years.

Learned counsel for the petitioner states that the petitioner is entitled for the benefit under the office memorandum dated 06.04.2016 (Annexure P-4) for fixing the pension of pre-2006 retirees, which has also not been extended.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 25.05.2018 (Annexure P-6) and the petitioner will be satisfied, at this stage, in case a time bound direction is

issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 25.05.2018 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 25, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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