

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

(114)

CWP-8868-2019

Date of Decision: April 02, 2019

Charanjit Kaur and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Sonia G. Singh, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners states that the petitioners' special family pension was enhanced when the State of Punjab revised the pay scale of its employees w.e.f. 01.01.2006. Subsequently, in December, 2011, the pay scale(s) of the Constable and others were revised from the year 2011 onwards but this court while deciding ***CWP No.25733 of 2012 titled as A.P. Sharma and others Vs. State of Punjab and others, decided on 22.10.2013***, held that the pay scale given to the Constable w.e.f. 01.12.2011, should be implemented w.e.f. 01.01.2006 and therefore, the petitioners claim that the petitioners are entitled for the relief of the enhanced family pension keeping in view the higher pay scale granted w.e.f 01.01.2006.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, the petitioners have served the respondents with a legal notice dated 07.01.2019 (Annexure P-9) which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 07.01.2019 (Annexure P-9) by

passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 07.01.2019 (Annexure P-9), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 07.01.2019 (Annexure P-9) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioners are entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to them within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

April 02, 2019
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No