

IN THE HIGH COURT OF PUNJAB AND HARYANA,  
AT CHANDIGARH

125

**CWP No.19690 of 2019**

Decided on : 22.07.2019

Azad Singh and others

... Petitioners

Versus

State of Haryana and others

.. Respondents

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

Present : Mr.Sandeep Thakan, Advocate  
for the petitioners.

**Harsimran Singh Sethi, J. (Oral)**

The grievance which has been raised by the petitioners in the present writ petition is that though the petitioners retired from service on 31.12.2005/31.12.2015 on attaining the age of superannuation, they have not been granted the benefits of revision of pay scale, which were granted by the State w.e.f. 1.1.2006/1.1.2016.

Learned counsel for the petitioner relies upon the judgment passed by Central Administrative Tribunal, Principal Bench, New Delhi in OA No.571 of 2017 to claim that even the employees who retired on 31.12.2015, only acquired the status of pensioners only in the forenoon of 1<sup>st</sup> January, 2006/2016, therefore, they are deemed to be in service on the said date to claim the benefit of revised pay scale. Learned counsel for the petitioners argues that since the petitioners retired on 31.12.2005/31.12.2015, they are to be treated as pensioners only in the forenoon of January 1, 2006/2016, therefore, they are entitled for the benefits of revision of pay and fixation of pensionary benefits.

Counsel for the petitioner states that for the relief which has

been sought in the present writ petition, the petitioners have served the

respondents with a legal notice on 13.2.2019 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 13.2.2019 (Annexure P-6) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

**[ HARSIMRAN SINGH SETHI ]**  
**JUDGE**

22.07.2019

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |