

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.20396 of 2019

DATE OF DECISION:14.10.2019

Surindarjit Singh Jaspal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Khaira, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that the petitioner is above the age of 80 years and this Court while deciding CWP No.12980 of 2015(O&M), titled as **Mohinder Singh Vs. State of Punjab**, decided on 25.07.2016 directed the State Government to release the arrears of dearness allowance to the retirees, who are above 80 years of age immediately and the retirees, who are above 70 years of age within a period of three months of passing the said order but the petitioner, who is above 80 years of age has not been released the said benefit without any valid justification and the petitioner has been forced to approach this Court claiming the relief as already granted by this Court in **Mohinder Singh's case (supra)**.

Counsel for the petitioner prays that a direction be issued to the respondents to grant the petitioner the benefit of arrears of dearness allowance.

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 07.03.2018 (Annexure P-2) 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 dated 07.03.2018 (Annexure P-2) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 07.03.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 07.03.2018 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

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

October 14, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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