

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

CWP-31956 of 2019

Date of decision: 04.11.2019

Gian Singh

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

HARSIMRAN SINGH SETHI, J. .

In the present writ petition, the grievance of the petitioner is that his pension has been wrongly fixed ignoring the Circular dated 13.04.2010 (Annexure P/3), which has been issued by the respondents, according to which, pension of the petitioner cannot be less than 50% of the minimum of the pay scale plus pay band, whereas, the petitioner has been getting pension, which is less than 50% of the minimum of the pay scale plus pay band granted to the post, from which the petitioner superannuated. Prayer of the petitioner is for grant of benefit of Circular dated 13.04.2010 (Annexure P/3) with consequential benefits of arrears alongwith interest.

From the pleadings, it transpires that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 02.09.2019 (Annexure P/15) raising his claims, which is still pending consideration with the respondents and the interest of justice will be served, 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 petitioner, the respondents are directed to decide the legal notice dated 02.09.2019 (Annexure P/15) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |