

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

CWP No.272 of 2020
Date of Decision : 08.01.2020

Prem Chand

...Petitioner

Versus

State of Punjab and others

....Respondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. H.K. Brinda, Advocate for the petitioner.

B.S.WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ of Mandamus for directing the respondents to determine the difference of pay from 01.01.2014 till 30.06.2014 and post retirement benefits paid and payable to the petitioner on account of revision of dearness allowance from 90% to 100% w.e.f. 01.01.2014 and to make the payment of difference so determined to the petitioner upto date along with interest @ 18% per annum.

2. Learned counsel states that the petitioner has already submitted legal notice Annexure P/2 dated 05.09.2019 in respect of the grievances which are the subject matter of the writ petition, to which, reply Annexure P/3 dated 15.11.2019 was given by the Executive Engineer that all possible efforts were being made to make payment to the petitioner at the earliest. Learned counsel states that the petitioner would be satisfied if the writ petition is disposed of at this

stage by directing the respondents to take affirmative steps in terms of reply Annexure P/3 dated 15.11.2019 and to make the payment to the petitioner as per his entitlement as expeditiously as possible.

3. Without commenting on the merits of the case or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent Nos.4 and 5 to consider and decide the claim of the petitioner as is made in legal notice Annexure P/2 dated 05.09.2019, in terms of reply Annexure P/3 dated 15.11.2019 and to release such payment to which the petitioner is found entitled to as expeditiously as possible preferably within six weeks from the date of receipt of certified copy of this order. In case the payment as per entitlement is not released to the petitioner within the stipulated period of time, the petitioner would be at liberty to make a claim for payment of interest on the same, in accordance with law.

4. Writ petition is disposed in the aforementioned terms.

(B.S.WALIA)
JUDGE

08.01.2020.

rajesh.k.khurana

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