

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-2891 of 2020

Date of decision: 03.02.2020

Balkar Ram

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gursharan Singh, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that the petitioner is entitled for refixation of his pension, keeping in view the order passed by this Court in CWP 25733 of 2012 titled as **A.P.Sharma and others vs. State of Punjab**, decided on 22.10.2013, which judgement has already attained finality.

Learned counsel for the petitioner further argues that the petitioner has not been extended the benefit of said judgement on the ground that he was not party to the said writ petition, though, as per settled principle of law settled by the Division Bench of this Court in **Satbir Singh Vs. State of Haryana, 2002(2) S.C.T. 354**, once a question of law has been decided by a Competent Court, the same needs to be extended to all the similarly situated employees without forcing them to approach this Court claiming the same benefit.

The prayer of the petitioner is for issuance of a direction to the respondents to re-fix his pension w.e.f 1.1.2006, keeping in view the directions given by this Court in **A.P. Sharma's case (supra)**.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition the petitioner has served the respondents with legal notice dated 20.01.2019 (Annexure-P/3), 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 respondent No.3 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 respondent No.3 is directed to decide legal notice dated 20.01.2019 (Annexure-P/3) 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

03.02.2020.
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |