

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

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CWP No.10716 of 2020.

Date of Decision: 28.07.2020.

Raghu Nath and others

....Petitioners.

Versus

Punjabi University and another

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Vikas Singh, Advocate for petitioners.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This Civil Writ Petition under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of Mandamus directing respondents to pay arrears of Leave Travel Concession to the petitioners in view of judgment of this Court dated 26.02.2019 passed in CWP No.2479 of 2016 as well as unpaid dearness allowance arrears which was raised from 80% to 90% for the period from 01.07.2013 to 31.01.2014 and thereafter increased from 90% to 100% for the period from 01.01.2014 to 30.09.2014 and increased arrears from 100% to 107% from 01.07.2014 to 28.02.2015 alongwith interest.

Notice of motion.

At the asking of Court, Mr. Ajaivir Singh, Advocate, accepts notice on behalf of respondents. Complete copy of paper book has been supplied to him.

Learned counsel for the petitioners by making reference to the pleadings submits that petitioners are retired employees of Punjabi University, Patiala. They have worked on various posts in the University. It is submitted that under the Punjabi University Act, a special reference to Sections 15 and 16 has been made to say that if any amendment or repeal of the Statute is to be done, the same can be done by Syndicate with the approval of the Chancellor. It is urged that in the University, pension scheme was introduced on 01.04.1990. It is then in the year 2005, the University employees who are getting LTC on the pattern of Punjab Government, apprehended the withdrawal of the benefits by way of the amendment. However, the University arbitrarily stopped payment of LTC and resultantly, various writ petitions were filed.

Learned counsel for the petitioners further submits that even the issue of release of enhanced Dearness Allowance had also come up for consideration before this Court in some of the writ petitions. In regard to both the above issues, reference can be made to (i) **CWP No.2479 of 2016 (Sham Singh & Ors. vs. Punjabi University & Anr.)** decided on 26.02.2019; (ii) **CWP No.35193 of 2019 (Gurnam Singh & Ors. vs. Punjabi University & Anr.)** decided on 03.12.2019; and (iii) **CWP No.18465 of 2019 (Gurnam Singh & Ors. vs. Punjabi University & Anr.)** decided on 10.07.2019.

Learned counsel for the petitioners at this stage submits that for the same/similar grievance, the petitioners have made representation dated 19.02.2020 (Annexure P/6).

Having heard learned counsel for the parties, this Court deems it appropriate to dispose of the writ petition, without commenting upon the merits of the case, by directing the competent authority to consider and decide the petitioners' claim as raised in their representation dated 19.02.2020 (Annexure P/6) as early as possible and preferably within three months from the date of receipt of copy of this order.

It is made clear that in the event, on merits, the authorities find that in view of the judgments (cited supra), the petitioners are actually found entitled for the said benefits, the same be allowed and released to them within one month thereafter.

Ordered accordingly.

(LALIT BATRA)
JUDGE

28.07.2020
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No