

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-11423-2020

Date of Decision : 07.08.2020

Gurbachan Singh and another

....Petitioners

Versus

State of Punjab and others

....Respondents

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

Present : Mr. P.S. Khurana, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic. -

2. Prayer in the petition under Articles 226/227 of the Constitution of India is for the issuance of a writ of Mandamus for directing respondent No.3 to grant annual increment to the petitioners on completion of one year service on the date of retirement and further to revise the pension and pensionary benefits in view of the law laid down by the Hon'ble Madras High Court on 15.09.2017 in CWP No.15732 of 2017 in case titled as 'P. Ayyamperumal vs. The Registrar, Central Administrative Tribunal and others' and which has been upheld by Hon'ble the Supreme Court vide order Annexure P-8.

3. At the outset, learned counsel for the petitioners states that the petitioners have submitted representation Annexure P-5 dated 01.06.2020 but the same has not been decided till date and that in the circumstances, the

petitioner would be satisfied, if the writ petition is disposed of by directing respondent No.3 to consider and decide the representation Annexure P-5 dated 01.06.2020 in accordance with law in a time bound manner.

4. Notice of motion to respondent No.3 only.

5. Mr. Pankaj Gupta, Addl. AG, Punjab, accepts notice on behalf of respondent No.3 and states that he has no objection to the limited prayer made by learned counsel for the petitioner.

6. Accordingly, in the light of the position as noted above and without commenting on the merits of the controversy or the entitlement of the petitioners to the relief claimed, the writ petition is disposed of by directing respondent No.3 to consider and decide the representation Annexure P-5 dated 01.06.2020 in accordance with law after taking into account all aspects of the matter including the decisions as referred to above in case the same are applicable, within two months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

August 07, 2020

'ps/rajesh'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>