

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

CWP No.14206 of 2020 (O&M)

Date of decision: 11.09.2020

Satish Kumar Sharma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. P.K. Goklaney, Advocate for the petitioner.

H.S. MADAAN, J. (Oral)

Case taken up through video conferencing.

Petitioner Satish Kumar Sharma, aged about 60 years, having retired as Principal from SBS, Govt., Sr. Sec. School Sabuana, District Fazilka has filed the instant civil writ petition under Article 226/227 of the Constitution of India against the respondents i.e. State of Punjab through its Secretary, Department of Education, Punjab, Director Public Instruction (SE), SAS Nagar, Mohali, Accountant General (A&E), Punjab and the District Education Officer (SE), Fazilka, seeking issuance of a direction to the respondents to revise his pension in view of last pay drawn by him in the Grade Pay of Rs.7400/- instead of Rs.6600/-, as per instructions issued by the Government from time to time and the settled law on the subject. He further seeks quashing of part of the instructions dated 01.01.2018 (Annexure P5) vide which the same have been made applicable w.e.f. 01.12.2011. In the end, he has craved for issuance of a direction to the respondents to decide the legal notice dated 27.05.2020

(Annexure P12).

Notice of motion.

Ms. Lavanya Paul, AAG, Punjab, accepts notice on behalf of respondent-State.

Learned counsel for the petitioner states that the petitioner would be satisfied if a direction is issued to the respondents to consider the legal notice dated 27.05.2020 (Annexure P12) got served by the petitioner upon them and then to take appropriate action in the matter within a fixed time frame.

Learned State counsel states that the respondents would abide by any direction issued by this Court in that regard.

Keeping in view the facts and circumstances of the case and in order to avoid unnecessary litigation between the parties, the present writ petition is disposed of, directing the respondents to consider the legal notice dated 27.05.2020 (Annexure P12) and then to take necessary action which may be warranted by facts and circumstances of the case, within a period of two months from the date of receipt of certified copy of the order. However, since the petition is not being decided on merits, it shall be open to the petitioner to seek his legal remedy including approaching this Court again, if he still feel aggrieved after disposal of his legal notice.

11.09.2020

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No