

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

108

CWP-17491-2020.

Date of Decision: 26.10.2020.

Saroj Prabha

....Petitioner.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Ashwani Arora, Advocate for petitioner.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This Civil Writ Petition under Articles 226 and 227 of the Constitution of India has been moved for issuance of a writ in the nature of Certiorari quashing the circular dated 13.06.2012 (Annexure P/11) issued by respondents with further prayer for issuance of writ in the nature of Mandamus directing the respondents to re-fix pension of pre 01.01.2006 retirees as per Punjab Government Circulars dated 17.08.2009 (Annexure P/2), 22.02.2010 (Annexure P/3) and 21.12.2011 (Annexure P/5).

Learned counsel for petitioner contended that petitioner has already made representations on 05.03.2019 and 15.09.2020 to District Controller, Food & Supplies Department, Rupnagar, copies of which are available on the file as Annexures P/8 and P/9 respectively, but still no

action has been taken. He further submits that similar issue had come up for

hearing before this Court in **CWP No.25733 of 2012** titled '**A.P. Sharma and others Vs. State of Punjab and others**' which was disposed of on 22.10.2013 (Annexure P/12). He further submits that LPA No.352 of 2014 against the judgment dated 22.10.2013 was dismissed by the Division Bench of this Court, vide judgment dated 31.08.2016 (Annexure P/13) and further above said judgment was upheld by Hon'ble Supreme Court in SLP(C) CC 8123 of 2017, vide order dated 04.05.2017 (Annexure P/14).

Notice of motion.

At the asking of Court, Mr. Abhay Pal Singh Gill, Assistant Advocate General, Punjab, accepts notice on behalf of respondents. Complete copy of paper book has been supplied to him.

In view of above, the present petition is disposed of with the direction to District Controller, Food & Supplies Department, Rupnagar to look into and decide representations dated 05.03.2019 (Annexure P/8) and 15.09.2020 (Annexure P/9) in accordance with law by passing speaking order and that too within three months positively from the date of receipt of copy of this order.

(LALIT BATRA)
JUDGE

26.10.2020
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No