

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(238)

CWP No. 25009 of 2018
Date of Decision : 27.01.2020

Harbans Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sunny Singla, Advocate for the petitioners.

Mr. Sehaj Bir Singh, Advocate for the respondents.

Harsimran Singh Sethi, J. (Oral)

The claim raised by the petitioners in the present writ petition is that they are entitled for revision of their pensionary benefits w.e.f. 01.01.2006 or from the date of superannuation as the case may be, keeping in view the law laid down by this Court in CWP No. 25733 of 2012 titled as ***A.P. Sharma and others Vs. State of Punjab and others***, decided on 22.10.2013.

Learned counsel for the petitioners argues that though the benefit of the judgment in ***A.P. Sharma's case (supra)*** has been extended to the various other similarly situated employees but the petitioners have not been given the said benefit though, the appeal filed by the State being LPA No. 352 of 2014 has already been dismissed on 31.08.2016.

Learned counsel for the petitioners states that for the relief of

grant of revised pensionary benefits, petitioners have already served upon the respondents a legal notice dated 17.03.2018 (Annexure P-9) which is still pending consideration with the respondents and petitioners will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the said legal notice by passing an appropriate speaking order keeping in view the above noted judgments as well as the Instructions dated 04.07.2019 which have been issued by the Government of Punjab on this issue.

Learned counsel appearing on behalf of the respondent-Corporation states that they have no objection in deciding the legal notice dated 17.03.2018 (Annexure P-9) by passing an appropriate order keeping in view the Instructions dated 04.07.2019 issued by the Government of Punjab, in a time bound manner.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 2 is directed to decide the legal notice dated 17.03.2018 (Annexure P-9) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

It is made clear that while passing the appropriate order, Instructions dated 04.07.2019 issued by the Government of Punjab will kept in mind.

Writ petition stands disposed of accordingly.

January 27, 2020
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*