

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

CWP No.20377-2020

Date of Decision: 01.12.2020

Jagmal Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. R.S.Mamli, Advocate,
for the petitioner.

Ms. Ranjana Shahi, Additional A.G., Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to grant benefit of 7th pay commission and to pay the arrears with all consequential benefits.

2. Learned counsel for the petitioner submits that petitioner retired from service on 31.03.2012 after completion of 21 years 08 months and 18 days of service. Pension of the petitioner was fixed at Rs.8,781/- whereas, he should have been granted 50% pension of his salary. i.e. including pay band and grade pay.

3. Learned counsel for the petitioner submits that petitioner was granted 2nd ACP on 25.08.2014, after his retirement. Since he was getting lesser pension, he approached to the respondents time and again but to no avail. He submits that an erroneous order dated 21.05.2019 was passed and petitioner submitted a representation dated 20.10.2020 (Annexure P-10). But the same has not been adverted by the respondents till date. Hence, the instant petition.

4. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, therefore no notice is being issued to the respondents.
5. Without commenting anything on the merits of the case, writ petition is disposed of with a direction to the competent authority to look into the representation dated 20.10.2020 (Annexure P-10) and also by keeping in view the judgment dated 21.12.2012 contained at Annexure P-11 and decide the same by passing a speaking order, in accordance with law.
6. Let the needful be done within a period of 2 months from today.
7. In case, a favorable order is passed then the benefit thereof be accorded to the petitioner within a period of 2 months thereafter.
8. Disposed of accordingly.

DECEMBER 01, 2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable

Yes/No
Yes/No