

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20311-2020

Date of decision: - 27.11.2020

Tarlochan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mandeep K. Sajjan, Advocate, for the petitioner.

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for petitioner states that the family pension of the petitioner has not been revised by the respondents 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 petitioner argues that keeping in view the order passed by this Court in **A.P. Sharma's (supra)**, which has been implemented by the respondent-State qua other similarly situated employees, the family pension of the petitioner also needs to be revised w.e.f. 01.12.2011 with all consequential benefits.

Learned counsel for the petitioner submits that the benefits accruing to the petitioner for refixation of his family pension as per the judgment in **A.P. Sharma's (supra)** have not been granted without any valid justification. Learned counsel for the petitioner further submits that

for the relief, which is being claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 12.11.2020 (Annexure P-12), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

Notice of motion.

Ms. Ambika Bedi, AAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State.

Learned State counsel submits that the respondents have no objection with regard to prayer of the petitioner for deciding legal notice dated 12.11.2020 (Annexure P-6) in a time bound manner by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.4 is directed to decide the legal notice dated 12.11.2020 (Annexure P-6) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

November 27, 2020
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No