

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

CWP No.23574 of 2021 (O&M)

DATE OF DECISION: 29.11.2021

Ashok Kumar and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Harish Sharma, Advocate for the petitioners

..

ALKA SARIN, J. (Oral):

Heard in physical mode.

The prayer in the present Civil Writ Petition under Article 226 of the Constitution of India is for issuance of a writ in the nature of mandamus directing the respondents to consider the claim of the petitioners for pension on the basis of the Notification of the Punjab Government dated 28.07.1994 (Annexure P-1).

Learned counsel for the petitioners would contend that the case of the petitioners is squarely covered by the decisions of this court in CWP No.18381 of 2003 titled as *Davinder Singh and others vs. State of Punjab and another* decided on 19.04.2010 (Annexure P-4) and in CWP No.12073 of 2000 titled as *Lajwanti widow of Babu Ram vs. State of Punjab and others* decided on 09.04.2002 (Annexure P-7). It is further contended that in this regard a Legal Notice dated 09.01.2019 (Annexure P-3) has already been served upon respondent No.4, however, till date, no decision has been taken qua the same.

The learned counsel for the petitioners would further contend that at this stage the petitioners would be satisfied if a direction is given to respondent No.4 to decide the said Legal Notice dated 09.01.2019 (Annexure P-3) in a time-bound manner.

Notice of motion.

Mr. TarunVir Singh Lehal, Addl. AG Punjab, who is present in Court, accepts notice on behalf of respondent Nos.1 to 3.

Heard.

In view of the limited prayer made by learned counsel for the petitioners and keeping in view the fact that the matter is not being decided on merits, the service of notice upon respondent No.4 is dispensed with at this stage.

Without commenting on the merits of the case, the present writ petition is disposed off with a direction to respondent No.4 to take a decision on the Legal Notice dated 09.01.2019 (Annexure P-3) in accordance with law expeditiously and, in any case, within a period of two months from the receipt of a certified copy of this order.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

29.11.2021
parkash

NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO