

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

CWP No.2149 of 2022

Date of decision: 7th February, 2022

Gurbax Singh & others

... Petitioners

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

The petitioners have invoked the writ jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking appropriate writ in the nature of mandamus for issuance of directions to the respondents to release their emoluments and revised pension and other retiral benefits on the basis of fixation of last pay drawn by them at the time of their retirement while performing the duties of higher posts i.e. Block Primary Education Officer in officiating capacity with all consequential benefits along with interest @ 12 % p.a. in terms of judgments (Annexures P4 and P5) and orders of the respondents (Annexures P7 and P8) as well as to decide the legal notice dated 28.09.2021 (Annexure P-9).

Heard.

Notice of motion to the official respondents.

Ms. Simran Grewal, Asst. Advocate General, Punjab puts in appearance and accepts notice on behalf of the said respondents. Copy of the paper book has been supplied to her.

Upon hearing learned counsel for both the sides and on perusal of the records, the present petition stands disposed off with direction to the official respondents to consider the legal notice dated 28.09.2021 (Annexure P9), as representation of the petitioners and decide the same in accordance with law by passing a speaking order preferably within a period of one month from the date of receipt of a certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioners without any delay, as per law.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

February 7, 2022

rps

Whether speaking/reasoned Yes/No

Whether reportable Yes/No