

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

131

CWP-4840-2022

Date of Decision :10.03.2022

Dr. Brij Bihari Lal Sharma

..Petitioner

Versus

State of Haryana and another

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashwarya Bajaj, Advocate for the petitioner.

Mr. Raman Kumar Sharma, Addl. A.G. Haryana,

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, keeping in view the order passed by this Court in CWP-19641-2012 titled as **R.K. Aggarwal and others vs. State of Haryana and others**, the petitioner is entitled for the benefit of revised pension, which in any case cannot be lower than 50% of the revised pay scale for the post in question, from which, the petitioner had retired.

Learned counsel for the petitioner submits that as of now the pension, which is being paid to the petitioner by the respondent-department is not in consonance with the directions issued by this Court in R.K. Aggarwal's case (Supra). Prayer of the petitioner is for issuance of a direction to the respondents to grant the benefit of fixation of revised pension to the petitioner in the light of the order passed by this Court in R.K. Aggarwal's case (Supra).

Learned counsel for the petitioners further submits that for the relief, which is being claimed in the present writ petition, the petitioner has

already submitted a representation dated 18.12.2021 (Annexure P/5) with the respondents, which is still pending consideration with them and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondent No.2 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Addl. A.G. Haryana, who has joined the proceedings through video conference accepts notice on behalf of respondent-State and raises no objection in deciding representation dated 18.12.2021 (Annexure P/5) submitted by the petitioner by them by passing an appropriate speaking order within a period of 08 weeks from the date of receipt of copy of this order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in representation dated 18.12.2021 (Annexure P/5), respondent No.2 is directed to decide representation dated 18.12.2021 (Annexure P/5), submitted by the petitioner to them by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order. In case after the decision, it is found that the petitioner is entitled for any relief, the same will also be released to him within a period of next four weeks.

Present writ petition stands disposed of.

March 10, 2022
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No