

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

(109)

CWP-6947-2022

Date of Decision : April 02, 2022

Ashok Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance which is being raised by the petitioner is that the petitioner attained the age of superannuation and retired on 30.04.2017 and on the said date, the petitioner was drawing the basic pay of Rs. 20,550/- but while calculating the pensionary benefits, the basis pay has been taken as Rs. 19,360/- which is arbitrary and illegal. The further grievance of the petitioner is that certain amounts have been deducted from the pensionary benefits by the respondents without there being any valid justification and contrary to the settled principle of law and therefore, keeping in view the facts and circumstances of this case, the respondents are liable to be directed to refix the pensionary benefits of the petitioner by taking the basic pay as Rs. 20,550/- instead of Rs.19,360/- and also to refund Rs.2,52,767/- which has been deducted from the petitioner's pensionary benefits after his retirement.

From the pleadings, it transpires that the grievance which has been raised in the present petition has also been raised in the representation dated 26.02.2022 (Annexure P-4) which is still pending consideration with the respondents and the interest of justice will be served in case a time bound direction is given to respondent No. 3 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

On asking of the Court, Ms. Anju Sharma Kaushik, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the representation dated 26.02.2022 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 26.02.2022 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.3 to decide the representation dated 26.02.2022 (Annexure P-4) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same shall also be paid to the petitioner within four weeks thereafter.

April 02, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No