

114.

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

**CM-18331-CWP-2022 IN/AND
CWP-14779-2022**

Date of Decision: 21.11.2022

MALKIT SINGH AND OTHERS

.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jasbir Singh Mohri, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

CM-18331-CWP-2022

Prayer in this application is for preponement of the main case which is listed for hearing on 10.01.2023.

For the reasons mentioned in the application, same is allowed. Hearing of the main case is preponed and the same is taken on board today itself.

CWP-14779-2022

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents State to refund the share of petitioners contributed by them towards New Defined Contributory Pension Scheme alongwith interest @ 8.1% per annum as per the mandate of judgment dated 30.03.2022 passed by this Court in CWP No.35361 of 2019, *Constable Bikramjit Singh and others Versus State of Punjab and others* (Annexure P-11).

CWP-14779-2022 (O&M)

Counsel appearing on behalf of the petitioners would contend that in this regard, the petitioners have filed a representation dated 18.04.2022 (Annexure P-12) before the respondents, but till date, no decision has been taken thereon. He would submit that at this stage, the petitioners would be satisfied in case their representation is decided, in accordance with law, in a time bound manner.

Notice of motion.

Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents.

Let sufficient number of copies of complete paper book be supplied to her during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioners, the present petition is disposed of with a direction to the respondents to decide representation dated 18.04.2022 (Annexure P-12) of the petitioners within a period of six months from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

21.11.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No