

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16122-2022 (O&M)
Date of Decision: 27.07.2022

JIWAN PARKASH SINGLA

..... Petitioner(s)

Versus

STATE OF PUNJAB

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Ms. Amarjit Kaur, Advocate
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

LISA GILL, J.

Prayer in this petition is for issuance of direction to the respondent to revise the pension of petitioner as per Gazette Notification dated 05.07.2021 (Annexure P-2) and after implementation of recommendations dated 29.10.2021 (Annexure P-1) issued by the Government of Punjab and to release the balance of salary and gratuity amount alongwith interest to the petitioner.

Learned counsel for the petitioner submits that petitioner who joined service on 22.08.1984 as Block Development and Panchayat Officer, retired on 31.03.2017 as Additional Director, Panchayat and is getting pension in un-revised pay scale. Learned counsel submits that the Government of Punjab has issued instructions for implementation of recommendations of Sixth Pay Commission on 29.10.2021 (Annexure P-1), according to which revised pension is payable to the petitioner w.e.f. 1st July, 2021 alongwith other benefits such as revised amount of gratuity etc.

Learned counsel further submits that gratuity amount of Rs.10 lakhs was paid to the petitioner under the Old Pension Scheme but now the said amount has been increased to Rs.20 lakhs w.e.f. 01.01.2016 as per the notification dated 05.07.2021 (Annexure P-2) and the said amount is to be paid alongwith interest @ 15% per annum till realization. Learned counsel for the petitioner submits that in this respect, legal notice dated 13.05.2022 (Annexure P-4) has also been issued but to no avail.

At this stage, learned counsel for the petitioner restricts her prayer for a decision on the legal notice dated 13.05.2022 (Annexure P-4), in a time bound manner.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of the respondent. Advance copy of the writ petition stands served. Learned counsel for the State does not raise any serious objection to the limited prayer addressed.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to consider and decide legal notice dated 13.05.2022 (Annexure P-4), by passing a speaking order within a period of three months from receipt of certified copy of this order. In case, petitioner is found entitled to any monetary benefit, it be released within the next two months thereafter.

Writ petition is disposed of accordingly.

27.07.2022

Sunil

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

(LISA GILL)
JUDGE