

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(212)

CWP No. 341 of 2017  
Date of Decision : 09.03.2022

Dr. Parmod Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Harpal Singh Saggu, Advocate for the petitioner.

Mr. Kannan Malik, Assistant Advocate General, Punjab.

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**Harsimran Singh Sethi J. (Oral)**

The present petition has been filed with a prayer that the pensionary benefits for which the petitioner is entitled for after his request for voluntary retirement w.e.f. 31.12.2014 was accepted, may kindly be released to him.

Learned counsel for the petitioner submits that keeping in view the order passed by the Principal Secretary, Government of Punjab, Department of Health and Family Welfare dated 03.03.2014(Annexure P-2), the petitioner was allowed to join the duties and the period from 01.07.2002 onwards till his joining was to be treated as 'No work-No Pay' and the petitioner was not entitled for any arrears for the said period but, the period from 01.07.2002 onwards till joining the department again was to be

counted for the purpose of increment but on notional basis hence, the calculations which have been done by the respondents with regard to his pensionary benefits, is contrary to the said order.

Learned State counsel submits that the department has calculated the pensionary benefits of the petitioner on the basis of the salary, which he was getting on the date of his retirement i.e. 31.12.2014 but in case, the petitioner is aggrieved in any manner with regard to the fixing of the said salary, he can approach the department by filing appropriate representation with the prayer for re-fixing of his salary by giving cogent reasons, which representation, if filed, will be considered by the department and appropriate order will be passed and in case, the claim of the petitioner is found genuine, the appropriate relief for revision of the pensionary benefits will be extended to him.

Learned counsel for the petitioner submits that the present petition be disposed of having been not pressed any further but with the liberty that petitioner can approach the respondents by filing appropriate representation raising the grievance with regard to the re-fixing of his salary in accordance with the order dated 03.03.2014 (Annexure P-2) passed by the Principal Secretary, Government of Punjab, Department of Health and Family Welfare so as to revise his pensionary benefits and the respondents be directed to decide his claim in a time bound manner by passing appropriate speaking order as undertaken by the learned State counsel.

Learned State counsel submits that in case any representation is received from the petitioner, the same will be decided within a period of eight weeks of the receipt of the same and in case, after the decision of the

released to him within a period of next four weeks.

Petition stands disposed of having been not pressed any further  
with liberty as prayed for.

**March 09, 2022**  
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**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

*Whether speaking/reasoned : Yes*

*Whether reportable : No*