

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

125

CWP No.21916 of 2022

Date of decision : 22.09.2022

Gurmej Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. S.K. Choudhary, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

The grievance raised by the petitioner in the present petition under Article 226 of the Constitution of India is that the last pay drawn by him before retirement has not been taken into reckoning to calculate his terminal benefits, particularly inasmuch as he was in the grade pay of Rs.3600/- but the calculation has been made by taking into consideration grade pay as Rs.2400/-.

At the outset, learned counsel for the petitioner, on instructions, submits that the petitioner would be satisfied, at this stage, in case his representation dated 04.04.2022 (Annexure P-4) is considered and a decision is taken thereon by passing a speaking order in a time bound manner. Learned counsel would further submit that the issue raised in the present petition is identical to that raised in CWP-15583-2022 titled as ***Sukhchain Singh vs. State of Punjab and others***, disposed of on 21.07.2022 (Annexure P-5).

Notice of motion to that limited extent.

Ms. Ambika Bedi, AAG Punjab, accepts notice on behalf of the respondents and waives service. She would submit that the concerned respondent would look into the matter and the competent authority will take a decision on the representation of the petitioner in accordance with law and decide the claim by passing a speaking order within the stipulated time.

Heard learned counsel for the parties.

Keeping in view the limited prayer and the aforesaid submissions and the peculiar facts of the case, without expressing any opinion or going into the merits of the case or the claim made by the petitioner in the present petition or in the representation, respondent No.4/Competent Authority is directed to consider and decide the claim made in the representation dated 04.04.2022 (Annexure P-4), as well as the claim for interest on delayed payment of arrears, in accordance with law, by passing a speaking order within a period of twelve weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of six weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

September 22, 2022
Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No