

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(122)

CWP-23627-2022

Date of Decision : October 17, 2022

Shyam Sunder Sharma

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nikhil Kaushik, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that though the respondents have already fixed the pension of the petitioner as per the revised pay scale w.e.f. 01.01.2006 vide order dated 23.11.2017 but even after expiry of approximately five years, the said order has not been complied with, which is causing prejudice to the petitioner. Learned counsel for the petitioner submits that the petitioner has approached the respondents several times for implementation of the said order but the petitioner is not being paid the pension according to his entitlement, in consonance with the order dated 23.11.2017 (Annexure P-1).

Learned counsel for the petitioner further submits that for the grievance which has been raised in the present petition, the petitioner has already approached the respondents by serving upon them a legal notice dated 14.09.2022 (Annexure P-2), which is still pending consideration with

the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice of the petitioner dated 14.09.2022 (Annexure P-2) 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 legal notice dated 14.09.2022 (Annexure P-2), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 14.09.2022 (Annexure P-2) 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 the monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

October 17, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No