

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

(127)

CWP No. 24170 of 2022

Date of Decision : 19.10.2022

Jai Parkash

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance being raised by the petitioner is that his pensionary benefits have not been calculated in the manner for which he is entitled for as only 80% of the last drawn basic pay has been taken into account for fixing the pensionary benefits whereas 100% basic pay being drawn by the petitioner at the time of the retirement was to be taken into account for fixing the pensionary benefits. The prayer of the petitioner is for issuance of a direction to the respondents to re-calculate his pensionary benefits as per his entitlement and release the arrears along with interest.

From the pleadings, it transpires that for the relief, which has been sought in the present writ petition, petitioner has submitted a demand notice/legal notice (Annexure P-7), which is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is issued to the respondents to decide the said demand

notice/legal notice by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case and entitlement of the petitioner in respect of the claim made in the writ petition/demand notice, respondent No. 4 is directed to decide the demand notice/legal notice (Annexure P-7) within a period of eight weeks from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next four weeks.

Present writ petition stands disposed of

October 19, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No