

132.

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

**CWP-27313-2022**

Date of Decision: 30.11.2022

**RAKESH KUMAR AND OTHERS**

.... Petitioners

Versus

**STATE OF PUNJAB AND OTHERS**

.... Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Ms. Navdeep, Advocate,  
for the petitioners.

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**JAISHREE THAKUR.J (Oral)**

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction including a writ in the nature of mandamus directing the respondents to pay interest @ 8.1% per annum on the amount refunded to employees which was deposited under new contributed pension scheme, in view of judgment dated 30.03.2022 passed by this Court in CWP No.35361 of 2019 titled as *Constable Bikramjit Singh and others Versus State of Punjab and others*.

Counsel appearing on behalf of the petitioners would contend that in this regard, the petitioners have already served a representation/legal notice dated 02.11.2022 (Annexure P-1) upon the respondents, but till date no decision has been taken thereon. She would submit that at this stage, the petitioners would be satisfied in case their representation/legal notice is decided, in accordance with law, in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

Let sufficient number of copies of complete paper book be supplied to her during the course of day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioners, the present petition is disposed of with a direction to the respondents to decide representation/legal notice dated 02.11.2022 (Annexure P-1) of the petitioners, within a period of six months, from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioners. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

**(JAISHREE THAKUR)**  
**JUDGE**

**30.11.2022**

sanjeev

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| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |