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

CWP-4741-2023

Date of Decision: 10.03.2023

Gurnam Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ajay Pal Singh, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction particularly in the nature of *mandamus* directing the respondents to release the 100% pension and all other pensionary benefits, Leave Encasement as admissible to the post of the petitioner and also to release the remaining pensionary benefits which has been withheld by the respondent-Department wrongly, illegally and without assigning any proper reason with a further prayer to direct the respondents to release the arrears of revised pensionary benefits in view of the recommendations of 6th Pay Commission.

Learned counsel for the petitioner submitted that repeatedly representations have been given to the respondent-Department regarding payment of revised pension along with arrears but no action has been taken

in this regard by the respondents. He further submitted that the latest representation was given vide Annexure P-2 dated 30.01.2023 to respondent No.2-the Principal Accountant General (Accounts and Entitlements), Punjab, Sector-17, Chandigarh but still no action has been taken. He submitted that at this stage, he confines the scope of the present petition only to the extent of seeking a direction to respondent No.2 to consider and decide the representation (Annexure P-2) filed by the petitioner in accordance with law and within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of the respondents and has stated that she has no objection in case a direction is issued to respondent No.2 for considering and deciding the representation filed by the petitioner vide Annexure P-2 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

The limited prayer of the petitioner in the present case at this stage is that his representation (Annexure P-2) has not been considered and no order has been passed regarding the same till date.

In view of the aforesaid position and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider and decide the representation filed by the petitioner vide Annexure P-2 dated 30.01.2023 strictly in accordance with law by passing a well-reasoned speaking order within a period of four months from today.

Needless to say that in case the petitioner is found to be entitled

for any benefit as prayed by him, then the same shall be released to him along with interest @ 6% p.a. within a period of two months thereafter.

10.03.2023

(JASGURPREET SINGH PURI)

JUDGE

Bhumika

1. Whether speaking/reasoned:

Yes/No
2. Whether reportable:

Yes/No