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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5164-2023
Date of Decision: 15.03.2023

MOHAN LAL AND OTHERS

....Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. J.S. Gill, Advocate, for the petitioners.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing respondent No.3 to grant the benefit of pension to the petitioners.

Learned counsel for the petitioners has submitted that the petitioners have not been granted the benefit of pension despite the fact that they opted for the pension but as per the record of the Municipal Council there is cutting on the form. He submitted that be that as it may, since a legal notice has been served upon the respondents and at this stage his limited prayer is for seeking a direction to the respondents to consider the legal notice of the petitioners by passing an speaking order in accordance with law.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of respondents No.1 and 2 and Mr. Vikram Preet Arora, Advocate accepts

notice on behalf of respondent No.3 and states that since the petitioners have served a legal notice upon respondent No.3, the same will be considered and decided in accordance with law as expeditiously as possible.

In view of the aforesaid position whereby the learned counsel for the petitioners at this stage has restricted the scope of the present petition only seeking directions to respondent No.3 to consider and decide the legal notice issued by the petitioners vide Annexure P-2, this Court deems it fit and proper to dispose of the present petition at this stage even without calling for reply from the respondents. Respondent No.3 is directed to consider and decide the legal notice dated 27.01.2023 (Annexure P-2) strictly in accordance with law.

It is made clear that these directions are being issued only for the purpose of directing respondent No.3 to decide the legal notice and it will not be deemed to be any observation on the merits of the case. Respondent No.3 shall decide the legal notice within a period of three months from today and pass a well-reasoned speaking order which shall be communicated to the petitioners. It is further directed that all the petitioners or their counsels shall also be permitted to appear before respondent No.3 and in the event of their doing so, respondent No. 3 shall also afford an opportunity of hearing to them at the time of considering the legal notice.

The present petition stands disposed of accordingly.

15.03.2023

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No