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

**CWP-7289-2023
Date of Decision: 13.04.2023**

Kulwinder Paul 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 a writ in the nature of mandamus for directing the respondents to decide the representation/legal notice dated 01.03.2023 (Annexure P-8) and to release the Pension and other pensionary benefits as admissible to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had retired on 31.08.2020 from the respondent-Department and after the retirement, the petitioner had received Pension and other pensionary benefits according to 5th Pay Commission. He further submitted that vide Notification dated 05.07.2021, the Department of Finance, Punjab made applicable the recommendations of the 6th Pay Commission with effect from 01.01.2016 and the petitioner had given his option on 07.08.2021 to the competent authority so that his pay scale could be revised

as per the recommendations of 6th Pay Commission but till date he has not received his revised pension and other pensionary benefits in view of the recommendations of 6th Pay Commission. He further submitted that the petitioner has filed a representation vide Annexure P-8 dated 01.03.2023, but neither any reply has been filed by the respondent-Department nor the same has been considered and decided by the concerned authority. He also submitted that at this stage he will be satisfied in case a direction is issued to the respondent No.1 to consider and decide the representation filed by the petitioner vide Annexure P-8 in accordance with law within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of the respondents/State and has stated that she has no objection in case a direction is issued to respondent No.1 for considering and deciding the representation filed by the petitioner vide Annexure P-8 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

In view of the above and considering the limited prayer of the petitioner and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.1 to consider and decide the representation filed by the petitioner vide Annexure P-8 dated 01.03.2023 strictly in accordance with law by passing a well-reasoned speaking order within a period of three 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.

13.04.2023 (JASGURPREET SINGH PURI)
Bhumika JUDGE

- 1. Whether speaking/reasoned: Yes/No
- 2. Whether reportable: Yes/No